A Study of the Qur’ānic Oaths

An English Translation of

Im‘ān Fī Aqsām al-Qur’ān

Ḥamīd al-Dīn Farāhī

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Translator's Note

This is a translation of a monograph titled *Im'ān fī Aqsām al-Qur'ān* by Ḥamīd al-Dīn Farāhī. The author conceived it as one of the introductions to his unfinished commentary on the Holy Qur'ān, later published as *Niẓām al-Qur'ān*. This book discusses some issues attending the uses of oaths in the Qur'ān.

The Qur'ān employs oaths frequently in order to affirm a claim-statement. In the Qur'ān, the Almighty has sworn by Himself and by many of His creations (for instance the sun, moon, stars, winds, fruits, towns, etc). These occasions in the Qur'ān have engendered questions that have baffled the commentators from the earliest times who, while trying to explain the scriptural text, appear to be grappling with the difficult questions on the nature and significance of these oaths – questions that are rooted either in the Muslim expectation related to the relationship between the oath-taker and the subject of the oaths or in the peculiar semantic conclusions, which almost always accompany an oath in Arabic language. These questions unavoidably force themselves upon the commentators because of a number of reasons:

1. In the ordinary course of language, oaths are taken to emphasize and register the truth of one's statement, by invoking something holy. Linguistically and religiously, an oath-taker always swears an oath by a higher being that is nobler than and distanced from the oath-taker. The oath draws strength from the grace, sanctity, nobility, taboo or holiness of the being by which it is taken. In other words, an oath-taker implicitly belittles his being in comparison with the being by which he takes an oath. This is apparently done to attach significance and truth-claim to the proposition following the oath by drawing epistemological strength from the unquestioned sanctity or widely accorded reverence for such a being. The ordinary creatures of God are way below the Divine station and it is even blasphemous to compare the Creator with His creations. Therefore, many

Qur'ānic oaths, particularly those which are sworn by created beings, do not fit well in the Divine text. Oaths are conventionally sworn by sacred objects. However, in the Qur'ān, on many occasions, the Almighty swears by ordinary, insignificant and so to say 'profane' things. How could God draw epistemological strength from petty beings? And why should God Almighty seek reinforcement for Himself in the first instance? In short, if these oaths are understood in the light of the widely held Muslim beliefs and linguistic practices in the Arabic speaking world, oaths do not appear to be in accord with the exalted position of Allah, who is the highest and noblest of all.

2. In the Qur'ān, the Almighty has taken oaths to affirm a number of propositions; many of them constitute the fundamental Islamic beliefs. These beliefs cannot be verified by the mere force of oaths. If these belief-claims could be established independently, as is widely held, through other means (rational, theological, historical or psychological), the oaths would become redundant. If the truth of these articles of faith cannot be established through common epistemological means, it can hardly be expected that these can be proven on the strength of the oaths. For the oaths do not prove or establish these assertions. At least to a non-believer in these beliefs, oaths constitute purposeless insistence only.

3. Islam has taught the believers not to swear by anything other than the Glorious God. A Muslim is not expected to swear an oath by anything other than God. The question then is, if the believers are not allowed to swear by created beings, why does God almighty swear oaths by the names of the cities, the sun, the moon, and the fruits?

Where do these questions come from? Farāhī does not cite the source, nor do the earlier authorities who tried to deal with them first. These questions are faced by every careful reader of the Divine text as they are inspired by human reason. Many exegetes and other scholars have tried to explain them. However, no coherent, well-defined and concrete approach has ever been offered to resolve the difficulty of determining the precise purpose of the Qur'ānic oaths. It was, therefore, not necessary for the purpose of Farāhī to investigate the genesis of these objections, who found in them an opportunity to inquire into the nature of oaths and the purpose they were wont to serve since

earliest times. Farāhī's contribution stands out in the background of the fact that despite a lot of space these questions occupy in medieval Muslim writers, they were apparently not able to formulate a consistent response.

As usual, Farāhī adopts a principled stance and offers a coherent and cogent explanation of the Qur'ānic oaths. He traced the origin of the oaths, surveyed the conventions, and, based on his findings in this quest, established that glorification of the object of oath is not a necessary objective of an oath. In this way the problematic oaths, sworn by insignificant created things, are satisfactorily explained. It is interesting to note that Farāhī not only invokes the testimony of the Qur'ānic text and classical Arabic literature, but also draws from the non-Arabic sources (for instance classical Greek and Biblical Hebrew) to understand that oaths do not essentially involve glorification of the objects sworn by. Rather, these are basically a kind of evoking the object as evidence to the veracity of the claims that are intended.

In the present translation I have tried to explain instances in the original Arabic text which I thought might pose difficulties for a modern reader. I have also tried to provide brief definitions of terms I thought belonged to highly specialized disciplines, which a modern reader is not expected to be familiar with. Farāhī, as is characteristic of his times, seldom gives references for the works he cites. I have tried my best to find out the original references, even though my efforts were not always successful. Footnotes have been added to admit my failures too. I have also tried to use the original Arabic terms where possible or to put them in parenthesis so that the reader may refer to the original term. I must also gratefully acknowledge that in my effort to translate the original Arabic text I have made extensive use of Mawlānā Amīn Aḥsan Iṣlāḥī's Urdu translation of the work, published in 1975 by Anjuman Khuddām al-Qur'ān from Lahore.

I gratefully acknowledge the assistance I got from my teachers, colleagues and friends that went a long way towards the completion of the present work. Mr Talib Mohsin and Mr Sajid Hameed have helped me make out a few complex passages in the original Arabic text. I constantly engaged with Mr Sajid Hameed in understanding pieces of *jāhilī* poetry quoted by the author. Mr Nadir Aqueel Ansari and Mr Jhangeer Hanif have helped in many ways in researching the cited sources, editing the

translation and by extending valuable suggestions. Mr Shehzad Saleem was generous enough to review a few sections of the translation. Mr. Asif Iftikhar has always been there with his words of encouragement. Mr Manzoor ul-Hassan provided the necessary logistic and administrative support for getting this work published as did Mr Azeem Ayub and all the support staff of al-Mawrid, who contributed towards the publication of this work. My gratitude is due to all of them. In fact, I cannot be thankful enough. And I would be deeply indebted to the readers too, if they could suggest improvements in the translation, which, by all means, is not the last word.

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Section: 1

Introduction

Glory to the Lord, to whose lordship every creature testifies through its very existence; sun sings His glory; moon prostrates itself before Him; the land takes refuge in Him, its peaks as well as valleys; oceans turn to Him in their ebbs and flows, as has been attested by the Lord in His book: "Glorify Him the heavens, all seven of them, and the earth and what lies in them. There is nothing which does not glorify Him through His praises." (Q 17:47) I implore God's blessings upon Muḥammad, the chosen Messenger of God and His servant, upon his family and his Companions, who held fast to the divine rope and covenant, and upon their successors, who followed a just and balanced path.

This book studies the Qur'ānic oaths. It is a part of the introductions (*muqaddamahs*) to my commentary on the Qur'ān titled *Niẓām al-Qur'ān wa Ta'wīl al-Furqān bi al-Furqān*. These introductions cover principles of interpretation and help us avoid repetition of these discussions during interpretation of the Divine text. Oaths frequently occur in the Qur'ān. Their meanings and wisdom have remained unclear to the earlier exegetes. This gave rise to certain questions on the use of oaths in the Qur'ān. It would not be possible to repeat such fundamental discussions on every occasion an oath occurs. It should be noted that my commentary on the Qur'ān is characterized by brevity rather than detail. This requires a comprehensive yet short treatment of the oaths of the Qur'ān in a separate discussion. Detailed analysis and explanation of the Qur'ānic oaths shall be afforded in the commentary on the relevant verses.

I do not know if there is a treatise by the earlier scholars on the issue except for *Kitāb al-Tibyān* by 'Allāmah Ibn Qayyim.[1]

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1. Ibn Qayyim al-Jawziyyah, Shams al-Dīn Muḥammad b. Abī Bakr, *Al-Tibyān fī Aqsām al-Qur'ān*, ed. Ṭāhā Yūsuf Shāhīn (Cairo: n.d).

Imām Rāzī or whoever completed his exegesis after him[2] also discussed the issue in their commentary. I intend to quote both these works during the course of discussion wherever the context allows me. May Allāh guide me to the correct understanding of the issue!

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2. Rāzī, Fakhr al-Dīn, *Tafsīr al-Kabīr*, 4th ed., (Qum: Markaz al-Nashr Maktab al-I'lām al-Islāmī, n.d.).

It is believed that Imām Rāzi could not complete his commentary. The task was accomplished after his death probably by Qāḍī Shihāb al-Dīn b. Khalīl al-Khawlī al-Dimashqī (d. 639 AH) or Shaykh Najm al-Dīn Aḥmad b. Muḥammad al-Qamūlī (d. 777 AH).

Section: 2

Three Questions on the Qur'ānic Oaths

Since this discussion primarily targets clarification of certain questions and objections against the Qur'ānic oaths, I will start with a mention of them. It needs to be appreciated that there are different kinds of objections leveled on the Qur'ānic oaths. They are the following:

i. An oath, by nature, does not behove the glorious Lord. An oath-swearer belittles himself. He puts himself on the stead of an unreliable person. The Qur'ān says: "Do not yield to any mean oath-monger." (Q 68:10) This verse implies that swearing an oath is condemnable. Jesus Christ (sws) forbade taking an oath altogether. He said to his followers: "Let your 'Yes' be 'Yes,' and your 'No,' 'No', never swear an oath." (Matthew 5:37)

ii. Oaths in the Qur'ān have been used to ratify fundamental beliefs, including the unicity of God, last retribution and the institution of prophethood. Oaths are of no use in affirming these beliefs. An oath neither successfully satisfies believers nor does it convince the rejecters. The rejecters need arguments and evidence, which the oaths lack. The believers, on the other hand, already have faith in these beliefs. Taking an oath serves no purpose.

iii. People never take an oath except by something exalted and glorious. The Prophet (sws) has said: "Whoever swears an oath should swear it by God or keep silence." (*Bukhārī* No: 3624) This clearly forbids taking an oath by anything other than God. How is it then becoming of God, the Lord of the world, to swear by His creatures and also by ordinary things like the fig and the olive?

These are the objections leveled on the Qur'ānic oaths. I will first mention the response by Imām Rāzī and other earlier authorities to these objections. I shall then comment on their responses. I shall try to explain their shortcomings so that the reader stands guarded against sticking to obviously weak stances. For relying on weak and untenable stance greatly damages the true position on the religious issues. Besides, in the matter of the religion, such weak standings are vulnerable to the attacks of the opponents. By explaining the weakness of the view of the earlier authorities, I do not mean to disparage their contribution. I only intend to bring the reality of the matter to light. I ask God to reward these scholars for their efforts towards defending what they believed to be true. I beseech God to accept me among the defenders of the truth.

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Section: 3

Imām Rāzī's Viewpoint

Imām Rāzī refers to the second of the above mentioned questions while explaining Sūrah al-Ṣāffāt (Q. 37) and responds to it in the following way:

> This question requires a multifaceted answer. First, God has, through conclusive arguments, established *tawḥīd* (unicity of God), the Afterlife, and the Retribution in other *sūrahs*. These fundamental beliefs have, therefore, already been established. The arguments proving them are still fresh in the minds of the readers. It is, therefore, sufficient to merely mention these beliefs with the stress supplied by the oaths. It should be appreciated that the Qur'ān was revealed in the language of the Arabs. Affirming claims and assertions through an oath was a common Arab custom.[3]

Imām Rāzī refers to the fact that the Qur'ān was revealed in the language of the Arabs. He states that swearing was a convention in that society. He refers to these facts in order to respond to the first question mentioned above.

I believe what he means to say is that since the oath follows conclusive arguments and builds on them, the claims made in the verses rely primarily on the arguments furnished earlier and not on these oaths which are employed merely for reaffirmation as was customary to the Arabs. I find this position in clear contradiction to the Qur'ān. We know that the Qur'ānic oaths are found more in the earlier *sūrahs* than in the later revelations which came after the arguments for these beliefs were fully supplemented.

The second aspect of his explanation follows:

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3. Rāzi, *Tafsīr al-Kabīr*, 26: 118.

> First the Almighty swore by these things in order to prove the statement: "Your God is one." (Q 37:4) Soon afterwards, He mentioned something which functions as a conclusive argument for the unicity of God. He says: "Lord of the heavens and the earth, and what lies between them, and the Lord of the east." (Q 37:5) This argument has been put plainly elsewhere in the following words: "If there were therein gods beside Allah, then, verily both would have been disordered." (Q 21:22) The harmonious arrangement of the heavens and the earth bears witness to that God is one. Thus, the complement of oath, "indeed your Lord is one" (Q 37:4), has been followed by, "Lord of the heavens and the earth, and whatever lies between them, Lord of the east." (Q 37:5) The whole can thus be paraphrased as follows: "We have already made it clear that the arrangement of this universe points to the unicity of its God. So ponder over this fact so that you may obtain the knowledge of *tawḥīd*.[4]

The crux of this answer is this. The oath in this instance has been followed by a statement that contains an argument proving the sworn fact. The point of argument, therefore, is contained in the statement and not the oath that prefaces it. The oath only adds emphasis to the statement. We see that this response to the objections against the Qur'ānic oaths is identical to the earlier one. Both of these fail to explain the wisdom behind diverse kinds of oaths. One wonders why not to take an oath by God Almighty Himself instead of swearing by these ordinary things. Rāzī continues:

> The third aspect of our response follows. The basic purpose of this statement is to negate the belief of the idolaters that idols are their gods as if it has been said: "Their view has receded to weakness and abatement to a level that such a [weak] argument suffices to disprove it." God knows best.[5]

This is clearly a naïve explanation. At first he holds that oaths do not contain elements of argumentation. Then he maintains

4. Ibid.
5. Ibid.

that the view of the opponents was so absurd that it could be negated by a statement almost devoid of any argument.

While discussing the wisdom behind the use of oath, under the commentary on the opening verses of Sūrah al-Dhāriyāt (Q. 51), he has again discussed issues which contain an explanation to the question under discussion. He says:

> We have referred to the wisdom in employing the oaths in our commentary on the oath formulas occurring in Sūrah al-Ṣāffāt (Q. 37). This is indeed a very noble discussion covering sublime themes. I intend to repeat that here. These oaths have many aspects which follow:
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> First, the disbelievers, at times, confessed that the Prophet (sws) would prevail in arguments. However, they ascribed his triumph to his polemical skills. They maintained that he was aware of the invalidity of his statements. "He defeats us through his polemics and not because of truthfulness of his case", they would say. This is what someone defeated in an argument might say when left with no argument to support his view. Such a loser complains: "He (my adversary) has defeated me by his skill of argumentation for I am not that adept in the art. He knows that truth lies with me." At this stage, the one with clear proofs is forced to opt for an oath. He, therefore, is forced to say: "I tell the truth. I am not arguing for falsehood." This is because if he offers another argument to support his view the contender would again complain. He would claim that his opponent defeated him through his polemical skills. Thus the man arguing for the truth has no option but to remain silent or to swear an oath and abandon further argumentation.[6]

This response from Imām Rāzī mixes sound arguments with unsound ones. It negates what he earlier said while commenting on the Sūrah al-Ṣaffāt (Q. 37) where, under the second aspect of his explanation, he asserted that the Qur'ānic oaths always follow arguments and stress the argued point. However, what he stated in his commentary on Sūrah al-Ṣāffāt (Q. 37) is in fact true. The Qur'ān does not stop on an oath. Rather it follows the

6. Ibid., 28: 193.

oaths with some other assertions. Rāzī has gone too far here. He could have maintained that sometimes mere argument does not help because the opponents fail to understand the arguments and can complain that the contender is using captivating eloquence and is too confident in what he holds. In such situations it is more appropriate for one to blend the arguments with an oath. This position would have been quite sound.

Imām Rāzī further comments:

> Second, the Arabs always avoided taking oaths falsely. They believed that false oaths would cause adversities to strike them. Their lands would be left barren. The Prophet (sws) mostly swore oaths by highly exalted things. This made the Arabs believe that if proved wrong, he would meet great perils; he would not escape the consequences of such an unworthy act.[7]

Imām Rāzī, in this response, seems to have pointed towards the fact that swearing oaths was a norm among the Arabs. He is, in fact, right. However, by adding that the Prophet (sws) too considered swearing oaths falsely as something ominous and calamitous, he ignored the following facts:

i. Few Qur'ānic oaths are oaths of glorification.
ii. The Qur'ān clearly guides us not to fear anything other than God.
iii. What evil can result from desecrating insignificant objects like the fig and the olive by swearing by them falsely?[8]
iv. The Qur'ān was communicated to the Holy Prophet (sws) from the Almighty. The oaths form part of the Qur'ān, the word of God. These are not the word of the Prophet Muḥammad (sws). The author of the Qur'ān, it is clear, does not fear anything.

Rāzī could have remained content with the first part of his statement which states that the Arabs would refrain from taking

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7. Ibid.

8. The fig and the olive are among those objects by which God Almighty has sworn oaths in the Qur'ān. 95:1-3 read: "By the fig, the olive, the mount of Sinai, and this city of security."

untrue oaths for they feared the consequences of such an act. They believed that an honorable man cannot take an untrue oath. When someone lent emphasis to his statement by the help of an oath, the Arabs hearkened to him. This would have elevated his view to a kind of response to the first and the second question, albeit a weak one. What he said later, indeed, has made the whole statement meaningless.

Now I turn to the third part of Rāzī's response to the questions. He writes:

> Third, all the oaths the Almighty has taken, are arguments formulated in this form. It can be compared to a statement by a donee to his benefactor wherein the former swears saying: "By all the bounties and favors you have bestowed upon me I am grateful." The continuous bounties the oath-swearer has been receiving are a constant cause for the perpetual gratitude he shows. Such a statement follows the design of an oath. Similarly, all of these things (i.e., things by which the oaths have been taken in the beginning of Sūrah al-Dhāriyāt (Q. 51) evidence God's power to resurrect. Why this claim has been presented in the form of an oath? Our response to this question follows. When a man prefaces his saying by an oath, the audience realizes that he intends to say something serious and solemn; this makes them hearken to him. The Almighty has, therefore, started the *sūrah* with an oath and has expressed the arguments in the form of an oath.[9]

This sufficiently explains away the second objection. However, it is upon the upholder of this view to explain the nature of the argument for the assertions found in the objects by which the oath is being taken. The argumentative nature of the Qur'ānic oaths, though obvious in some instances, requires a great deliberation in most cases. This is probably why Rāzī has relied on this explanation only in Sūrah al-Dhāriyāt (Q. 51) and in some other instance. In most other cases, he has explained them in two ways:

First, wherever possible he rejects the fact that an oath has been taken in the first place. This he does only to escape the questions on the use of oaths. He adopted this approach while explaining

9. Ibid., 194.

the word *lā* (no, never) occurring in the first verse of Sūrah al-Qiyāmah (Q. 75) of the Qur'ān. He says:

> The second possibility is that the particle *lā* negates what follows it. In other words, it has been said: "I do not swear by a particular day and the soul (*nafs*). Contrarily, I ask you without taking an oath. Do you think that We will not be able to collect your bones once they will be decayed by death? If so then know that we are very able to accomplish that." This is the view of Abū Muslim and is the soundest.[10]

This interpretation cannot be accepted by an expert of the language of the Arabs. If the Almighty intended what Imām Rāzī believes, then what could be said, at best, is that the statement absolutely negates taking an oath by the unparticular things like reproaching self (*nafs)*, the stars that withdraw (*al-khunnas*) and which rush ahead (*al-jawār*) and hide (*al-kunnas*) etc. This is also in variation with the customary style of expression. The Arabs use the word *lā* before an oath as disjointed particle. This issue has been explained in our commentary on the *sūrah*. Zamakhsharī holds the same view.[11]

At times Rāzī eludes criticism by saying that the oaths are used merely for the sake of stress and alerting the audience on the gloriousness of the thing sworn by. In his commentary on Sūrah al-Dhāriyāt (Q. 51), he says: "You know that the basic objective of this oath is to point out the exaltedness of the *muqsam bihī*."[12] He adopted the same approach in his commentary on Sūrah al-Tīn (Q. 95). He says:

> There is a difficulty here. The fig and the olive are not glorious things. How does it become God to swear by them? This question can be solved in two ways.[13]

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10. Ibid., 30: 215.

11. Zamakhsharī, Maḥmūd b. 'Umar, *al-Kashshāf*, 3rd ed., vol. 4 (Beirut: Dār al-Kutub al-'Ilmiyyah, 2003), 645-6.

12. There is a proof error in the text. The referred to statement forms part of Rāzī's commentary on Sūrah al-Mursalāt. See Rāzī, *Tafsīr al-Kabīr*, 30: 264.

13. Ibid., 32: 8.

Then he sets upon explaining usefulness of the fig and the olive assuming that the *sūrah* refers to particular fruits. Alternatively, he takes them to be referring to two mosques or holy cities and explains their glory. One can see that adhering to these answers, which are obviously faulty, does not remove the third objection on the use of oaths in the Qur'ān. Even if we assume that an oath is always taken by a glorious thing the issue is not resolved. The Book swears by many things including the runners breathing and panting (*al-'ādiyāt ḍabḥan*), (Q 100:1) the stars that withdraw (*al-khunnas*) and which rush ahead (*al-jawārī*) and hide (*al-kunnas*), (Q 81: 15-6) night (*layl*), morning (*al-ṣubḥ*), (Q 81:17-8) the fig (*al-tīn*) and the olive (*al-zaytūn*). (Q 95:1) None of these things contains any element of gloriousness for which their creator should swear by them.

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Section: 4

Ibn Qayyim's Viewpoint

'Allāmah Ibn Qayyim does not introduce the objections on the use of oaths by the Qur'ān before explaining them. He positively explains the oaths of the Qur'ān. While doing so he points towards facts which remove the germs of confusion and explain away objections on the Qur'ānic oaths. His response, I believe, is relatively strong. However, he too, like Rāzī, fails to follow a single explanation and oscillates between two parallel approaches. While commenting on the *sūrahs* which contain any particular oath he jumps from one view to another.

What follows is a summary of his response along with my comments on it.

It is important to appreciate that Ibn Qayyim adopts inductive approach. He starts with mentioning that oaths are basically taken only by God, His attributes and His signs. He writes:

> He, the glorious one, swears by certain things to establish some points. He usually swears either by His own name, which has peculiar attributes, or by His signs. Thus, by swearing by some of His creatures He has taught us these things are His great signs.[14]

After presenting some examples he continues:

> It needs to be appreciated that the Almighty swears to establish fundamental beliefs which men must acknowledge. He swears to affirm that God is one (*tawḥīd*); that the Qur'ān is true; that the Prophet (sws) is truthful; that final retribution is sure to come; that warnings in this regard are not empty threats. Sometimes He swears to affirm the status of men.[15]

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14. Ibn Qayyim, *Al-Tibyān fī Aqsām al-Qur'ān*, 3.
15. Ibid., 4.

According to Ibn Qayyim, the Qur’ānic oaths are limited to three matters of great religious import. These three issues then converge into a single one: the attributes of God, as we shall soon see. After this introduction, he does not feel a need to investigate the *jawāb al-qasam* (complement of oath) for he has already identified the thing sworn of, i.e. belief in unicity of God, prophethood, and the Last Day. The oaths themselves prove these beliefs. While treating the oaths in the beginning of the Sūrah al-‘□diyāt (Q. 100) and Sūrah al-‘Aṣr (Q. 103) he writes:

> The complement of the oath has been left unstated because what is being affirmed by the oaths is already understood (i.e. *tawḥīd*, Prophethood, and the Last Judgment). Each among these three entails the others (they are *mutalāzimah*). Thus when the veracity of the Messenger is established, the Qur’ān and the Last Judgment stand proven. When it is established that the Qur’ān is true, the Messenger’s claim to be a divine Prophet and all the claims of the Book, including the power of God (to resurrect), are ratified. Therefore, the complement of oath is sometimes left unstated. It is taken for granted. In this case, the intention of the author is not to mention what is sworn of. Rather the only purpose of swearing the oath is to produce *ta‘ẓīm* (glorification, exaltation) of the *muqsam bihī* and to teach that it is a thing by which one may swear an oath.[16]

These things, according to him, lead to His sublime attributes. This is clear from his treatment of the oaths occurring in the start of Sūrah al-Burūj (Q. 85) where he says: “All these things are signs of His power which evidence His unicity.”[17]

Following this, he says:

> The best explanation is that this oath does not need any complement because in this case the only intention is to highlight the *muqsam bihī* and to make it clear that it is

16. Ibid., 7-8.
17. Ibid., 56.

among the great signs of God.[18]

Similarly while dealing with the oaths occurring in the beginning of Sūrah al-Ṭalāq (Q. 65) he writes:

> The Almighty has sworn by the heavens and the shining stars, each of which is one of the signs that affirm His unicity.[19]

Then while treating the oaths occurring in the middle of the same *Sūrah* he says:

> God has sworn by the heavens which showers rains and by the earth which in turn produces vegetations. All these things are the signs of God that prove His providence.[20]

He has repeated the same thing while treating the oaths occurring in the end of Sūrah al-Inshiqāq (Q. 84). He writes:

> These (i.e. twilight, night and moon) and other similar things constitute signs which evidence God's providence. They call us to appreciate His perfect attributes. [21]

While dealing with the complement of these oaths, he says:

> It is possible that the complement of this oath is left unstated.[22]

This oath does not require a complement for, according to him, that is already understood in defined form.

The above discussion helps us see the difference between the view of Rāzī, who offers different contradictory responses, and that of Ibn Qayyim, who adopts a single method to explain all the Qur'ānic oaths. The method of Ibn Qayyim, I believe, is relatively sounder.

Now I wish to explain the basic function behind Ibn Qayyim's method. He draws on two bases.

First, God Almighty has sworn by Himself and also by His

18. Ibid., 57.
19. Ibid., 63.
20. Ibid., 67.
21. Ibid., 69.
22. Ibid., 70.

signs. Swearing by created things is nothing but another form of swearing by God. For these things are His creatures. They are signs of His providence.

He has thus intended to explain away the third objection mentioned above which rests on the claim that swearing an oath by ordinary things, which are obviously creatures of God, means raising them above the Creator Himself. However, the question has remained unanswered. The oaths evidently concern the creatures and not the Creator. The fact that they are His signs and lead us to His attributes does not, after all, change their status of being a *muqsam bihī*.

Consider his statement where he says that the complement of oath is sometimes left unstated, for it is taken for granted. In such cases, he holds, the intention of the oath-taker is not to mention what is sworn of (*muqsam 'alayhi*). Rather the only purpose of the statement is to produce *ta'ẓīm* (glorification, exaltation) of the *muqsam bihī*. It also teaches us that one can swear by the stated *muqsam bihī*. The above clearly proves that God has sworn by other than Himself with an intention to attach glory to them. The crux of his statement, therefore, would again be that God has sworn by these things considering their glory and exaltedness. I believe there is nothing wrong with the idea that God attaches dignity and honor to some of His creations. Nor do I object to the belief that some of His creatures are glorious and exalted. Many small things are great and many insignificant things are noble when seen from different perspectives. What needs to be explained is that the status of created things has been raised to the point that the Almighty should swear an oath by them.

Second, all the oaths evidence the fact mentioned in the *muqsam 'alayhi*. By this thesis he has intended to explain away the second objection. Rāzī too, as we saw, endeavored to do so when he mentioned this point among others. However he (Rāzī) never relied on this explanation consistently. As for Ibn Qayyim he fully relied on this basis. He explains most of the Qur'ānic oaths in a way that shows that the *muqsam bihī* evidences the *muqsam 'alayhi*. When, however, in some instances, he found it difficult to relate the *muqsam 'alayhi* and *muqsam bihī* he declared the former as left unstated. In such cases, he considered the oaths as evidencing the attributes of God among other points

as I have mentioned earlier.

Despite the weakness of his response and his occasional remarks that the oaths have been brought in order to glorify the *muqsam bihī*, he has been right and proficient or at least, one can say, he has been proficient in more than one place during the entire discussion.

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Section: 5

Plan of the Present Book

An exposure to the views of the earlier authorities on the Qur'ānic oaths must have, I believe, led you to learn that the best view they held in this regard is that the oaths evidence certain theses. However, the problem that remained hidden to these scholars and the bottleneck they could not escape from is their adherence to the belief that the oaths decidedly consist of glorification of the *muqsam bihī*. This is the error which proved to be a great hindrance in the proper understanding of the Qur'ānic oaths. It is this belief that is the headspring of all the objections (*shubhāt*). I will, therefore, start with negating this belief so that it becomes clear that the oaths have nothing to do with glorification of the *muqsam bihī*, though some of the *muqsam bihīs* may be glorified things.

I shall then explain that when the Qur'ān swears an oath by the created things it presents the things sworn by (*muqsam bihīs*) as evidences for the sworn statements (*muqsam 'alayhis*). Such evidentiary oaths form a category which is distinct from oaths of glorification (*al-aqsām al-ta'ẓīmiyyah*). The Qur'ānic oaths, in my view, are not sworn by attributes of God, as held by Ibn Qayyim.

Then I shall turn to explain in what instances an oath may be taken and at what others, it is better avoided. This will help us understand that it is not right to say that swearing an oath is absolutely prohibited.

Discussions in this book will revolve around these three points. Since this issue calls for detailed and exhaustive treatment, at points, I have been forced to discuss the history of oath and its social function, both in the past and present, and its various forms. I will also explain the meaning of the particles of oath, oath formulas, their basic meaning and implications, including respect (*ikrām*), sanctification (*taqdīs*) and argumentation

(*istidlāl*); all these three are distinct from glorification.

I will explain the oaths in the light of clear proofs from the Qur'ānic verses and explain why this explanation has remained hidden so that the great scholars of the past are excused. Then some rhetorical aspects of the Qur'ānic oaths will be highlighted. I will also discuss in what aspects taking an oath is forbidden, what instances it is allowable, and in what other places, it is desirable. The directive of prohibition of taking an oath ascribed to the Prophet Jesus (sws) will also be elucidated. A fair treatment of the Qur'ānic rhetorical excellence exhibited in its choice of words for oath also forms part of this discussion. This will clarify what kinds of words are not appropriate for oath.

The above is a brief plan of the present book. Now I turn to deal with these issues in detail. God alone is the guide to the truth.

Section: 6

History, Form, Meaning and Use of Oath

Sometimes one needs to stress a statement or to emphasize promises in order to convince his audience. This is especially demanding in serious interpersonal, national, international and collective matters. When two persons, two nations, or a ruler and his subjects contract a treaty they consider it of utmost importance to assert that they are committed to their pledge by means of an oath. Thus they come to trust each other and differentiate between their allies and the opponents and between their protectors and enemies.

This social and cultural need called them to devise ways and select certain words which could depict such assertions. The original function of oath is to reaffirm and solidify a statement.

Ancients expressed their commitments by taking the right hands of the other party. This practice remained customary among the Romans, the Arabs and the Hebrews. By taking the hand of the other party, one externalized his commitment and stressed his vows. This act signified that both the parties vowed to stay tied together on the given affair and pledged their right hands on it. It was because of this custom that the word *yamīn* (literally: right hand) came to denote an oath. This fact has been clearly put by some of the poets. Jassās b. Murrah says:

> I will fulfill the rights of my neighbor. My hands are pledged as surety for what I commit (*yadī rahnun fi ʻālī*).[23]

From this practice the oath acquired the meaning of guarantee and surety. This signification of the oath is still present in the practice of shaking hands, clapping and striking hands while contracting a deal. This practice is still current among the

23. ʻAbd al-ʻAzīz Nabawī (compiler), *Dīwān Banū Bakr fī al-Jāhiliyyah*, 1st ed. (Cairo: Dār al-Zahrā’ li al-Nashr, 1989), 395.

Romans and the Indians. This is further corroborated by the fact that in Hebrew also the word *yamīn* is used to connote an oath. Psalms 144:8 reads:

> Those whose mouths utter evil things and their oaths are false oaths.

The original Hebrew words are: (أشر فيهم دبر سوء و ينام شاقر) I wonder why the English translators failed to understand this meaning and translated the verse as follows: "Their right hand is the false right hand."[24]

They failed to appreciate that the word *yamīn*, in this context, connotes oath and translated it literally. This is an outrageously erroneous interpretation and proves that these translators of the Bible did not try enough to understand Hebrew, the original language of the Scripture. What is astonishing is that they did not mend this clear mistake in their recent efforts to improve the earlier translations.

Another example is found in the Proverbs. The Prophet Sulaymān (sws) says:

> My son, if you have become surety for your neighbor, if you have stricken your hands for a stranger. (Proverbs 6:1)

This proves that the Arabs and Hebrews followed a similar tradition of formalizing contracts and undertaking commitments. That is why the word *yamīn* signifies an oath in Hebrew as well as in Arabic.

When a large number of people were involved in a contract, all would dip their right hands in water. Since all hands touched the water pot, they took it to mean that all have taken the hands of each other and agreed on a matter of mutual interest. Water is the best thing to touch. It sticks with other substances best of all. They say "*balla* (literally: moisted) *bi al-shay'i yadī"* to mean

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24. Farāhī is probably referring to KJV, which reads: "Whose mouths are full of lies, whose right hands are deceitful." However, not all versions of the Psalms have the same translation. For instance, In Tanakh, JPS (Jewish Publication Society), the translation is: "Whose mouths speak lies, and whose oaths are false." (Psalms 144:8) (Tanakh, JPS, p. 1591, Philadelphia, 2000.

that my hands have stuck to it. Ṭarafah b. al-'Abd says:

> When the nation hastens to take up arms, you shall find me secure while my hands have gripped the handle of the sword (*ballat biqā'mihī*).[25]

Sometimes they took scent and divided it among them and rubbed it on their hands. Thus they would depart while scented. Scent leaves more lasting traces than water. It is in fact more noticeable. This is why it has been called "a conspicuous thing" (*'urf*) and "a diffusing one" (*nashr*). An example of this method of affirming contracts, in the history of the Arabs, is the famous relic of Manshim which goes as follows. Some people swore that they would fight their enemies jointly. They wanted a memorial of their covenant. They decided to use scent which they bought from a perfumer called Manshim. This relic got so famous that it developed into a parable. Zuhayr b Abī Sulmā says:

> You two recovered 'Abs and Dhubyān while they had given themselves to war and while they had sprinkled among themselves essence of Minsham.[26]

Similarly, we see that participants in the oath of *muṭayyibīn* dipped their hands in perfume. The detail of this incident will be given in the tenth section.

At other occasions, they would slaughter an animal and sprinkle its blood on the bodies of the members of the parties making a contract. This would either symbolize that the relation established thus was to be honored as blood ties or work as a symbolic expression of their vow to stand by their commitment to the extent of pouring their blood. It has been said in Exodus:

> Then he sent young men of the children of Israel, who offered burnt offerings and sacrificed peace offerings of oxen to the Lord, and Moses took half the blood and put it in basins and half the blood he sprinkled on the altar. Then he took the

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25. Ṭarafah b. Al-'Abd, *Dīwān,* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1987), 28.

26. Zuhayr b. Abī Sulmā, *Dīwān,* (Beirut: Shirkah Dār al-Arqam, n.d.), 68.

Book of the Covenant and read in the hearing of the people. And they said: "All that the Lord has said we will do, and be obedient." And Moses took the blood, sprinkled it on the people, and said: "This is the blood of the covenant which the Lord has made with you, according to all these words." (Exodus 24:4-12)

We see that they vowed to their Lord by sprinkling the blood on themselves. They sprinkled the blood on the altar on behalf of their Lord. Thus they became the allies of their Lord. Such examples abound in the Torah. We find in Zechariah:

Because of the blood of your covenant, I set your prisoners free. (Zechariah 9:11)

Yet another method adopted in contractual obligations was that a party would bind a chord with that of their partners. They would then be considered allies. The word rope has acquired the meaning of a contract of guarantee and companionship from this very custom. The Qur'ān says:

Under a covenant (*ḥabl*) with God and a covenant (*ḥabl*) with men. (Q 3:112)

Imru' al-Qays says:

I am going to join my chord (*ḥablī*) with that of yours. I will attach the shaft of my arrow with that of yours.[27]

Ḥatī'ah hints towards the origin of this practice. He says:

They are a nation whose neighbor spends night in peace, once he ties his tent ropes (*aṭnāb* plural of *ṭunub*) with theirs.[28]

These are some of the ways adopted by the partners to stress their commitment to honor the contracts they made. According to another custom, people prohibited for themselves their cherished things and abided by their promise. They would call

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27. Imru' al-Qays, *Dīwān*, (Berut: Shirkah Dār al-Arqam, n.d.), 130.
28. Ḥaṭī'ah, Jarwal b. Aws, *Dīwān*, (Beirut: Shirkah Dār al-Arqam, n.d.), 40.

such a vow as *nadhar*. An example of this kind of oaths is the vow committed by Muhalhil, brother of Kulayb. He vowed not to drink wine nor to perfume his body nor to wash his hair until he avenged the wrong done to his brother. This is a famous legend. Similarly, Imru' al-Qays, after fulfilling his vow, says:

> Now wine is allowable to me. Previously a great adventure kept me from indulging in drinking.[29]

This usage, with time, acquired new extended application. *Nadhar* became an expression of clinging to something by way of an oath. 'Amr b. Ma'dīkarib says:

> They have vowed (*yandhurūna damī*) to take my life while I have vowed (*'andhuru*) to strike hard if I faced them.[30]

Thus they called *nadhar* as *yamīn* (oath). Qabīṣah, following a mention of fulfilling a *nadhar* he had vowed, says:

> My oath has been fulfilled (*ḥallat yamīnī*) by me. Banū Tha'l have tasted my retaliation and my poetry has returned to me.[31]

This is one of the verses attributed to him by the author of Ḥamāsah. He means to say that what he had held forbidden for himself by way of an oath has become allowable for him after he achieved what he vowed to fulfill.

Another thing identical to the custom of *nadhar* is calling down evil upon oneself in case of violation of an oath. It thus implies imprecation of God's disfavor in form of punishment if the oath-taker lies or proves unfaithful to his engagements.

Says Ma'dān b. Jawwās al-Kindī:

> If whatever reached you from me be true, then my friends may reproach me and my fingers may become paralyzed. I may burry Mundhar in his robe alone and Ḥūṭ may be killed by my foes.[32]

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29. Imru' al-Qays, *Dīwān*, 132.

30. Abū Tamām (compiler), *Dīwān Ḥamāsah*, 1st ed., (Lahore: Maktabah al-Salafiyyah, 1979), 47.

31. Ibid., 159.

32. Ibid., 40-1.

Similarly Ashtar al-Nakh'ī says:

> I may hoard wealth (instead of showing generosity), fail to perform great works and treat my guests badly if I failed to make a raid on Ibn Ḥarab causing great casualties every day.[33]

This kind of self-imprecatory oath-formulas shares many traits of religiously accented oaths. The religious aspect of such oaths is portrayed by the fact that, in this case too, the oath-taker fears God and His curse. He believes that failing to accomplish his undertaking, once calling God as a witness to his commitments, would earn him wrath of God.

Another form of such vows is to refrain from something without clarifying the time or conditions of revoking it. Such oaths are called '*aliyyah*. The Qur'ān has used a derivation of this word in the following verse:

> Those who vow abstinence (*yu'lūna*) from their wives must wait four months. (Q 2:226)

This word then acquired an extended meaning. The word *'ālaytu* (I would refrain from) came to be used to mean *aqsamtu* (I swear).

Imru' al-Qays says:

> She took an inviolable oath (*'ālat ḥilfatan lam taḥallalī*).[34]

Ṭarafah says:

> I swore (*fa'ālaytu*) that my flank will not separate from a sharp cutting sword.[35]

Ghaniyyah, mother of Ḥātim al-Ṭā'ī, says:

> Upon my life (*la'amrī*), hunger has troubled me more than ever. That is why I have vowed (*fa'ālaytu*) never to return

33. Ibid., 40.
34. Imru' al-Qays, *Dīwān*, 97.
35. Ṭarafah, *Dīwān*, 28.

any hungry petitioner un-entertained.[36]

There are ample examples of this usage of the word in the classical Arabic literature. The words *ālaytu* and *aqsamtu* are used interchangeably. Sometimes *lām tākīd* (preposition "*l"* used for stress) is conjugated with such expressions. The Qur'ān employs this technique. The Almighty says:

> And if they do not desist from what they say, a grievous punishment shall surely befall (*layamassanna*) those of them that disbelieve. (Q 5:73)

At another occasion the Almighty says:

> And surely God will help (*layanṣuranna*) those who help Him. (Q 22:40)

Labīd says:

> I do realize that I have to taste death most surely (*lata'tiyanna*). For arrows of death do not miss the mark.[37]

While commenting on this verse Sībwayh says: "As if he says: 'By God, death will come.'"[38] Sībwayh has indeed clarified his understanding of the verse by giving an example. He actually wants to say that the poet meant to swear. That is why we see that while discussing *L,* a particle of oath (*lām* of *qasam*), he has explained his view saying: "Similarly in the words '*laman tabi'aka minhum la'amla'anna*' (Whoever among them followed you I will surely fill ….), the particle *lām* lends the meaning of swearing to the expression. God knows best."[39]

Sībwayh does not mean that God has taken a proper oath by a certain *muqsam bihī*. Rather, he says that the word *la'amla'anna* itself implies an oath. For the purpose of an oath is merely to

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36. 'Abdul Qādir b. 'Umar al-Baghdādī, *Khazānah al-Adab wa Lubbi Lubābi Lisāni al-'Arab*, 1st ed., vol. 10 (Beirut: Dār al-Nashr, Dār al-Kutub al-'Ilmiyyah, 1998), 84.
37. Ibid., 160.
38. Sībwayh, 'Amr b. Uthmān b. Qambar, *al-Kitāb*, 1st ed., vol. 3 (Beirut: Dār al-Kutub al-'Ilmiyyah, 1999), 125.
39. Ibid., 124.

stress a point. It is not necessary to assume the *muqsam bihī* as left unexpressed at every instance.

This means that all such uses of *lām* signify an oath in this sense. Thus, if *lām-i qasam* follows a word that produces the meaning of certainty and determination the latter works as an oath. The above quoted verse ascribed to Labīd is an example. There are examples of this style in the Qur'ān as well:

> Then it occurred to them, even after they had seen the signs, that they should imprison him (*layasjununnahū*) till a certain time. (Q 12:35)

Another example follows:

> God said: "The truth is, and the truth alone I speak, that I will certainly fill (*la'amla'anna*) Hell." (Q 38:84)

One may not think that, in these examples, the *muqsam bihī* is necessarily suppressed. It does not suit this occasion as is obvious from the context.

All this detail regarding forms of oaths sufficiently proves that *muqsam bihī* is not always a necessary part of the oaths. We may not take it as suppressed if it is not mentioned in a given case. Oaths merely stress a statement or express determination to a commitment or a vow not to do something.

Section: 7

Object is not Essential to Oath

That the *muqsam bihī* is not essential to oath will be established through an analysis of oath formulas. Taking an oath by God or by His *sha'ā'ir*[40] is not a plain human activity indispensible for man. Therefore, it is not expected to have had proper expressions in all the languages from the beginning. It has, on the contrary, evolved out of a combination of social needs and religious concepts. Thus, it is not valid to hold that if an oath-taker does not mention the *muqsam bihī* and leaves it unexpressed, then he must be taken to have sworn by God. Oaths of glorification, which evolved from a combination of a variety of social needs and religious beliefs, will be discussed in detail in the tenth section. In the present section, I will clarify the meaning of the words which are commonly used to express an oath. This will help us understand the origin of these words. We will see that these words were originally not devised to swear an oath by God, His *sha'ā'ir*, and some other things. These words include: *al-yamīn*, *al-nadhar, 'aliyyah, qasam, ḥalaf.*

We have already discussed the word *yamīn*, its essence, and its common use as an expression of oath. The meaning of guarantee, protection and pledge that it has acquired has also been dealt with in detail. Therefore, I omit repeating these discussions.

Nadhar means to distance something and to avoid it. When one separates and something devoting it exclusively to God, he is said to have pledged a *nadhar*. In this case *nadhar* acquires the meaning of prohibition. It is in this meaning that the term has been used in Hebrew. Then this word started to be used to prohibit cherished things to oneself. It is from this usage that it acquired the extended meaning of holding fast to something by way of an oath.

'Aliyyah means to fail to do something. *Al-'ālī* is someone who

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40. *Sha'ā'ir* (singular *sha'īrah*) are sacred things sanctified by faith.

lacks ability to accomplish something. Then this term started to be used for abstaining from something. Abstaining from sexual intercourse with wives, by way of an oath, is an example. From here it acquired the extended meaning of sticking to a decision regarding doing or avoiding something. However, most often it is used for abstaining from things which are supposed to be harmful. This makes it identical to *nadhar*. Ibn Ziyābah al-Taymī says:

> I have sworn (*'ālaytu*) not to bury bodies of those among you who have been killed. So fumigate the victim and his armor.[41]

The word (*'aliyyah*) was later on used interchangeably with *qasam* (Arabic for oath), as has been discussed in the previous section.

Qasam originally meant breaking off and cutting something apart (*qaṭ'*). We say *qasamtu al-shay'a* and *qassamtuhū* (I cut it apart/split it). *Qaṭ'* is used to remove doubt and uncertainty. *Qaṭ'* and its cognate terms *ṣarīmah*, *jazam*, *qawl al-fayṣal*, *ibānah*, *ṣad'*, all bear the meaning of cutting and removing doubt and uncertainty. This is, therefore, the essence of the term *qasam*.

From among these terms, *qasam* was specifically picked as the best expression for a decisive verdict for it is expressed using forth causative verbal form *aqsama* (*if'āl*). This verbal form lends additional force to the action expressed through it. *Qasam*, therefore, acquires additional stress because it is expressed using this particular formation of the verb. *Asfara al-ṣubḥ* (the morning is very bright) is a similar construction. It too adds stress to the original meaning of verb.

An oath expressed through this form of the verb *qasam,* does not necessarily require a *muqsam bihī* no matter whether the oath is taken to ratify a statement of fact or to express determination. Ṭarafah says:

> Its builder swore (*'aqsama*) to enclose it (*latuktanafan*) so that it is encased in plaster [to be erected up strong].[42]

Arabic literature contains numerous such examples. In her

41. Abū Tamām, *Dīwān Ḥamāsah*, 39.
42. Ṭarafah, *Dīwān,* 22.

famous elegiac verse, Junūb says:

> I swear O 'Amr (*fa'aqsamtu*), had they (the cheetahs) awoken you, they would have stirred an irremediable wrath in you.[43]

> Rīṭah al-Salamiyyah says:

> I swore (*fa'aqsamtu*) that I would never stop shedding tears; they must continually stream my eyes.[44]

> Kharnaq, sister of Ṭarafah, says:

> Behold! I have sworn (*'aqsamtu*) not to mourn the death of anyone including my friends after Bishr.[45]

It has been said in the Qur'ān:

> Are they the ones about whom you swore (*'aqsamtum*) that they would not have a share in God's mercy? (Q 7:49)

> He swore (*qāsamahumā*) to both of them, committing to them that he was their well wisher. Thus he misled them treacherously. (Q 7:21-2)

If someone claims that *muqsam bihī* is to be taken for granted where omitted and that in such cases the referent is always God Almighty, I would explain to him that:

If you maintain that it is possible in some cases that the omitted *muqsam bihī* is to be identified as God, then I have no objection. However, I believe that it cannot be taken for granted in all

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43. 'Abdul Qādir, *Khazānah al-Adab*, 10: 409.

44. I did not find a copy of the *dīwān* of Rīṭah bint 'Abbās al-Aṣamm. However, the verse, rather the whole *qaṣīdah*, is attributed to Khansā' and is included in her *dīwān*. The author appears to prefer attributing it to Rīṭah. The compiler of the *dīwān* of Khansā' too has mentioned that these verses have been attributed to Rīṭah also. (al-Khansā', Tumā□ir bint 'Amr b. al-Ḥārith b. al-Sharīd, *Dīwān*, (Beirut: Dār Ṣādir, n.d.), 131-32.

45. 'Abdul Qādir, *Khazānah al-Adab*, 5: 54. However, there is a little variation in the lines cited. Instead of *aqsamtu* (I swear) a similar oath formula *wa 'abīka* (by your father) has been given.

cases. The *muqsam bihī* is not necessarily taken to be suppressed if left unstated. Detailed arguments for this view have already been presented. We know that an oath is taken by God as well as other entities. Sometimes oaths even come without a *muqsam bihī*. In that case, however, it implies only stress and mere determination.

Ḥalaf means to cut apart and to be sharp. It is, therefore, similar to the word *qasam*. A sharp knife is referred to as *sinān ḥalīf*. A fluent tongue is *lisān ḥalīf.* According to Azharī, this word has been derived from *ḥalf* (esparto), a plant with sharp thorny leaves. There statement, "*ḥalafa 'alā 'amrin*" (He has sworn to do something) is synonymous to "*qaṭa'a bihī*" (He resolved to do that). This is the root of the term *ḥalaf,* expressive of oath. Just like *qasam*, this word came to be used to express resoluteness and decisiveness in a stance. That is why it does not require a *muqsam bihī*. When two Arabs formalize clientage between them, they are instantly considered as such irrespective of the method adopted in the contract. I have mentioned different customary procedures of such a contract where the parties do not swear by anything.

The above discussions in this section along with the earlier ones evidently prove that basically the *muqsam bihī* is not necessary part of oath in the first place. Thus there remains no question of any excellence or glorification of the *muqsam bihī*. In order to prove this thesis, I have, so far, discussed common oath-words. Customary use of these words in the oath formulas has obscured their original meanings. This called for a relatively detailed analysis. There are, however, other words which denote an oath and whose original meanings are still apparent. A critical analysis of such oaths will clearly prove that an oath does not involve glorification of the *muqsam bihī*. This takes us to the next section.

Section: 8

Meaning of Oath used with the Object

Having grasped the meaning of an oath used without the *muqsam bihī*, it would not be difficult for us to appreciate the meaning of an oath which accompanies the *muqsam bihī*. In such usages, the *muqsam bihī* is related to the oath the way a witness is directly related to his statement. It is as if the person taking an oath brings the *muqsam bihī* as a witness to his statement. This is why we see that the particles *waw* and *bā* are used in such oaths. *Tā* is actually a changed (*maqlūb*) form of *waw* as in *taqwā* and *tujāt*. All these particles are originally used as conjunctions expressive of *ma'iyyah* (accompaniment).

This view is evidenced by a study of the history of swearing, and the ways oaths are expressed as discussed earlier. The Arabs would take an oath in the open. The parties would witness the event to affirm what they swore. A little deliberation reveals that it was the best way to secure the objective the oath was supposed to yield. Everybody avoids proving himself wrong in front of all. The Qur'ān itself confirms this fact. While referring to the covenants of the Prophets, the Almighty says:

> And remember the time when God took a covenant from the people regarding the Prophets, saying: "Whatever I give you of the Book and Wisdom and then there comes to you a Messenger, in confirmation of that which is with you, you shall believe in him and help him." And He asked: "Do you agree, and do you accept the responsibility which I lay upon you in this matter?" They said: "We agree." He said: "Then bear witness (*'ashadū*) and I am with you among the witnesses (*min al-shāhidīn*). Now whoever turns away after this, then surely, those are the transgressors." (Q 3:81-2)

The implication is now that we have established this covenant with you, while both of us witness this event, it is not appropriate

for any among the parties to go back on his words. Whoever fails to honor this covenant, he will be committing transgression.

The original purpose of such emphasis can be seen in the following example. When a man says: "I bear witness to it", he makes it plain that he is sure of the fact. He has witnessed it and has not said that on the basis of second hand report. If he is proven wrong, then he would not find an excuse to exonerate him. That is why the brothers of Yūsuf (sws) said:

> And we have testified (*shahidnā*) only what we know and we have no knowledge of the unseen. (Q 12:81)

This aspect of an oath obtains from the following verse of the Qur'ān:

> But God bears witness (*yashhadu*) to what He has revealed to you, He sent it down knowingly, and the angels also bear witness (*yashhadūna*) to it; and sufficient is God's witness (*shahīdā*). (Q 5:166)

There are other styles of stressing a point by calling a witness to it. When someone says: "I bear witness to this matter," he actually claims that he is testifying like an eye witness with full responsibility. Bearing false witness is a great sin and earns great punishment. This is why all the divine laws forbid such an abominable act. The Ten Commandments of the Torah include this prohibition. Similarly, the Qur'ān, while approving the characteristics of the righteous, says:

> Those who do not bear witness (*yashhadūna*) to falsehood. (Q 25:72)

The only plausible interpretation of this statement is that they do not bear false witness.

Furthermore, expressions like *anā ashhadu* (I bear witness), *wallāhu yashhadu* (God is witness to the fact that) and *wallāhu ya'lamu* (God knows) are common Arabic oath expressions. Other languages also contain similar oath formulas. Different civilizations of the world, while following different customs and traditions, employ phrases like "God is witness to this" and other similar oath formulas.

Sībwayh, while discussing the particle *lām* of oath, says: "Learn that there are verbs that signify oaths when followed by another verb in the following form: *aqsamū la'af'alanna* (I swear I will do) and *ashhadu la'af'alanna* (I swear that I will do)." Thus, according to Sībwayh, the verb *ashhadu* implies *'uqsimu* (I swear) and both can be used interchangeably.

The Qur'ān has settled the issue by clearly indicating the fact that *shahādah* (bearing witness) and *ishhād* (testifying), by nature, connote *yamīn* (oath). The Almighty says:

> When the hypocrites come to you, they say: "We *bear witness* (*naashhadu*) that you are the Messenger of God." And God knows that you are indeed His Messenger, but God *bears witness* (*yashhadu*) too that the hypocrites certainly are liars. They have made *their oaths* (*aymānahum*) a shield; thus they hinder men from the path of God. (Q 63: 1-2)

God Almighty has clearly termed their act of bearing witness as *aymān* (oaths). Elsewhere God Almighty used the expression "to bear witness" to imply taking an oath. The Almighty says:

> And it shall avert the punishment from her if she swears (*tashhada*) before God four oaths (*shahādātin*) [stating that] what he says is indeed false. (Q 24:8)

Still at another place, it is said:

> And they call upon God to witness (*yushhidullāha*) their true intentions, whereas they are but [your] staunch enemies. (Q 2:204)

The above discussion evidently proves that in such oaths, the *muqsam bihī* is meant to serve as a witness to the truth of what is sworn of (*muqsam 'alayhi*). I have provided close and copious arguments which sufficiently prove this thesis. The issue will be further elaborated upon by the help of examples in the tenth section.

In regards to the question of glorification of the *muqsam bihī*, I hold that it is not a necessary element of an oath. It is only an additional thing that is acquired in some of the cases. We will soon turn to this issue.

After this discussion around the essence of oath and its basic meaning, I turn to explain the additional meanings it has acquired such as glorification, honoring, and argumentation. I will now take up these issues so that the reader can fully understand all relevant matters. This will help the reader properly ponder over the Qur'ānic oaths and reach a correct conclusion in this regard.

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Section: 9

Honorific Oath

Oaths have been used to bestow honor on or glorify 1) the *muqsam bihī,* 2) the oath-taker himself or 3) the addressees. The Arabs were characterized by truthfulness and honesty. It was a hallmark of their nature. It was never possible for them to go back on their words, break an oath or dishonor a promise. Whenever they declared someone as their client or protected neighbor, they would not fail to fulfill their commitment. Taking an oath falsely in social matters was a great disgrace and humiliation to their sense of honor and dignity, their natural traits. By taking the hands of one another while making a contract, they intended to express vow to stake their life and honor on their commitment. The oath, to an Arab, therefore, implied putting his life in danger, as has been explained in the seventh section. That is why they would often take an oath by saying "upon my life"; that is, I stake my life on my statement. This aspect of oaths has been highlighted by some of the poets. Rīṭah, daughter of ʻAbbās al-Salmī says:

> Upon my life (*laʻamrī*), and my life is not an insignificant thing for me, O family of Khathʻam, you have killed the best young man.[46]

Such statements abound in the literature of the Arabs. Nābighah al-Dhubyānī says:

> Upon my life (*laʻamrī*), and my life is not insignificant to me, *aqāriʻ* (the tribe Qarīʻ b. ʻAwf) have attributed obvious lies to me.[47]

46. Khansā', *Dīwān*, 131.
47. Nābighah al-Dhubyānī, *Dīwān*, (Beirut: Dār Beirut, 1986), 80.

It is in this aspect of the oath that *muqsam bihī* has been considered to be a glorious thing. The oath-taker can emphasize his statement this way only through swearing by something honorable, glorious and dear. This is, therefore, the crux of this kind of oaths. From this kind of oaths developed expressions like '*la'amruka*' (by your life), which denote honor for the addressee. The speaker intends to say: "I swear, not by my life, but by your life which is dearer and more honorable to me than that of mine." This is the basis of adding the element of glorification of the *muqsam bihī*. Since, at times, an oath-taker intends to honor his addressee besides reaffirming his statement and this form of oaths suited more to the conversational oaths, the Arabs started to use expressions like "*la'amruka*" (upon your life), "*la'amru abīka* and *jaddika*" (upon your father's or grandfather's life) and "*bi 'izzatika*" (upon your honor) among others.

These oath formulas are used very frequently and are well known. Therefore, there is no need to prove their currency in the classical Arabic literature. Still, however, it is important to discuss certain points regarding this kind of oaths.

First, the *muqsam bihī* in such oaths, though honorable or respectable to the speaker, is not necessarily something which is worshipped and considered sacred, as is the case with the religiously accented oaths, to be discussed in the next section.

Second, when the *muqsam bihī* is attributed to the addressee, it always indicates his honor and respect. The following saying of Almighty God is an example.

> By your life (*la'amruka*), in their intoxication, they are going blind. (Q 15:72)

In this verse, God Almighty has honored His Messenger by addressing him this way. Another example of this is the following saying of the Almighty:

> Nay, by your Lord (*wa rabbika*), they are not true believers until they make you judge [in all that is in dispute between them]. (Q 4:65)

When it is attributed to the speaker himself, it implies his honor and grandeur. We may say that the speaker intends to say: "My life and honor are not accessible." This aspect of the oath,

therefore, does not behove lowly servants of God. Jesus Christ (sws) perhaps referred to this kind of oaths when he forbade taking oaths in the following statement attributed to him:

> Nor shall you swear by your head, because you cannot make one hair white or black. (Mathew 5:36)

Third, since some oaths include the aspect of calling evil upon the oath-taker as has been explained in the sixth section, this too should be considered an extended meaning of the oaths of glorification, and not the original meaning of such oaths. It is as though the oath-taker intends to say: "If I am untrue in what I say then my life be destroyed and my honor be spoiled."

By the foregoing discussion, I hope it has become clear that this kind of oaths is not sworn except when the *muqsam bihī* is attributed to either the speaker or the addressee. Such oaths must also be taken through specific expressions mentioned above. In these oaths, one swears by things known to be respected and revered by the speaker. This explains that the Qur'ānic oaths by *dhāriyāt* (that scatter dust) (Q 51:01), *al-'ādiyāt* (panting ones) (Q 100:1), *khunnas* (the stars that withdraw) (Q 81:15) and *al-jawār al-kunnas* (stars which rush ahead and hide) (Q 81:16) fall in a distinct category. They should not be confused with this kind.

It needs to be appreciated that this kind of oaths is not among the more concrete forms of swearing current in Arabian society. These are often used, merely in order to place emphasis upon a statement, such as in the expression *aqsamtu* (I swear). That is why at times they say *la-'amrillāhi* (upon God's life) without implying its literal meaning, except when they make such an intention clear as has been explained with reference to the verses of Rīṭah and Nābighah.

There are, however, other kinds of concrete oath formulas which will be taken up in the next section.

Section: 10

Oath Sanctifying the Object

I have already explained reasons why the Arabs felt a need to stress and solidify their statements by way of an oath. Similar needs sometimes forced them to overstate and exaggerate their assertions. They would then, while entering into a mutual contract, gather at a place of worship, adding the element of religiosity to their oaths. They intended to hold God a witness to their commitments. They believed taking a false oath this way would invite God's wrath.

In early times, political order and proper rule in Arabia was limited. Nations and tribes lived closely and were not separated by natural boundaries like great mountains and surging seas. They were not deterred by natural boundaries from attacking each other except by mutual accords. Treaties, therefore, provided the inestimable protection and were strong walls against foreign aggression.

Then at times, different nations forged an alliance against a common enemy and would enter into a treaty. Whenever a matter of peace or war was felt important by the Arabs, they immediately resorted to contracting a treaty. When Abraham (sws) left his nation and settled in the Arabian Peninsula, Abū Malik noticed that he was a man of power and might. The latter feared him and gave him respect. This he did by entering into a treaty with Abraham (sws) in a customary way in order to avoid any possible confrontation with him. Both of them became allies through this treaty.

History evidences the communal importance of treaties. Even great powerful nations of the present day resort to this practice. This explains how important the practice must have been to the ancient nations founded on their sense of honor, aggression and audaciousness. Nations of this day, I should say, are of the same traits. They are even worse because they have combined elements

of force and aggression with deception and falsehood. People often disrespect contracts and treaties. Still, however, they cling to the treaties compelled by the needs of a civilization. People swear by God and religious symbols in front of judges and rulers. Oaths, therefore, more befitted the ancient nations who were more truthful and trustworthy in matters of social and political interaction. It was thus more appropriate and feasible for them to make the oaths a basis of their social relations such that they were taken by that which was considered to be exalted and high. That is why we see that they all gathered at their religious sanctuaries and temples and contracted treaties and made promises before their deities which were supposed to be witnesses to such agreements.

Pre-Islamic Arabs were part of the community of nations. They were powerful, more warlike, as well as most true to their promises, and most abiding by their protection vows. The Ka'bah was their most sacred sanctuary whose sanctity, to them, was the soundest call to peace. Considering its sacredness, they would stay away from wars and battles during the days of *ḥajj*. During these days, they thronged to the Ka'bah from all directions, dressed like monks. Friends and foes intermingled very peacefully. The predacious lions behaved like most docile lambs. All this drastic change in their disposition was grounded in their respect for the House of God, which they called "*ṣalāḥ* (conciliator)" and "*umm al-raḥmah* (source of mercy)". Whenever they intended to formalize a pact, they would come to the Ka'bah and take an oath by Almighty God.

Having indulged in polytheism, they would swear oaths in their stone altars also. They would present offerings to the deities in order to make them intercede with Almighty God.

The customs related to taking such oaths included pouring the blood of an offering; touching the building of the Ka'bah, as is evidenced by their poetry; dipping their hands in perfume and touching the Ka'bah; or by merely going to the House and pledging a treaty therein. The dipping of the hands in perfume and then touching the Ka'bah is an act evidenced by the incident of the oath of the *muṭayyibīn* (the perfumed parties) which occurred a little before the call of the Prophet Muḥammad (sws). When the children of 'Abd-i Munāf decided to reunite, they took a bowl full of perfume in order to establish a covenant among them in the Ka'bah. These people dipped their hands in the

perfume and touched the building of the Ka'bah. This is why they were called the perfumers. The Prophet (sws) and Abū Bakr (rta) participated in this pact.[48]

This is the origin of the religious oaths of the Arabs. They widened its application and remained content with only making a mention of the Ka'bah or the other symbols attached to the *ḥajj* ritual. This is evidenced by the following examples:

Zuhayr b. Abī Sulmā says:

> I swore (*aqsamtu*) by the House (*bi al-bayt*) which is circumambulated by its builders, Quraysh and Jurham.[49]

At another occasion he says:

> Thus our hands and your hands will come together at a place of taking oaths (the House of God), where the blood of offerings is poured.[50]

A'shā Qays says:

> By the two-layered garment of a pilgrim and by the house built by Quṣayy and Ibn Jurham alone, I …….[51]

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48. In his biography of the Prophet (sws), Ibn Hishām has recorded the following narrative regarding the oath of the *muṭayyibīn*. After the death of Quṣayy b. Kilāb, two branches of his progeny, Banū 'Abd Munāf and Banū 'Abd al-Dār differed over the management of *hijābah* (custody of the Ka'bah), *liwā'* (standard bearing in wars), *siqāyah* (provision of water to the pilgrims) and *rafādah* (provisioning pilgrims). The Quraysh split into two parties, one favoring Banū 'Abd Munāf while the other siding with Banū 'Abd al- Dār. Banū 'Abd Munāf produced a cup full of scent and placed it in the Ka'bah for their allies. Both the parties, Banū 'Abd Munāf and their allies, dipped their hands in the scent and established a contract. Then they touched the Ka'bah to solidify their commitment. That is why they came to be called *muṭayyibīn*. Since Banū 'Abd al-Dār and their allies entered into a treaty committing not to show weakness and not to abandon each other to be picked by their enemies, they were called *aḥlāf* (clients). (For detail see: Ibn Hishām, *al-Sirah al-Nabawiyyah*, vol. 1 (Cairo: Dār al-Fajr li-Turāth, 2004), 89-90.

49. Zuhayr, *Dīwān,* 68.

50. Ibid., 16.

51. *Al-Ṣubḥ al-Munīr fī Shi'r Abū Baṣīr Maymūn b. Qays b. Jandal wa*

The same poet says in another verse ascribed to him:

For him, I swore (*ḥalaftu*) by the she-camels, which go dancing towards Minā (*al-rāqiṣat*) at the time the packs of the pilgrims throng towards it.[52]

Ḥārith b. ‘Ibād says:

Never, by Lord of the she camels which dance towards (*wa rabbi al-rāqiṣāti*) Minā. Never, I swear by the Lord who prohibits and allows things (*wa rabbi al-ḥilli wa al-iḥrāmi*).[53]

Nābighah al-Dhubyānī says:

No, by the one whose House I circumambulated, and by the blood poured on the stone-altars. By the one who shelters birds that remained undisturbed by caravans which travel between Ghayl and Sa‘d. I have never said things which have been (falsely) communicated to you. If I ever said that then, my hands may not be able to take up the whip (i.e. they become paralyzed.) My God may punish me with such punishment which satisfies the heart of my enemy.[54]

Shās, brother of ‘Alqamah al-Faḥl, says:

By the one who gathers the pilgrims to Minā and by the blood poured out of the tied offerings.[55]

Ghaniyyah al-A‘rābiyah praises her son:

I swear by *marwah* on one day and by *ṣafā* on another that you are more beneficial than shreds of the rod.[56]

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al-A‘shayayn al-’□kharayn, (London: Adolf Holzhausens, 1928), 95.

52. Ibid., 94.

53. ‘Abd al-‘Azīz Nabawī, (compiler), *Dīwān Banū Bakr fī al-Jāhiliyyah*, 532.

54. Nābighah, *Dīwān*, 35-6.

55. I tried to look this passage up in major anthologies, lexicons and *dawāwīn* (Ḥamāsah etc) but could not determine the source.

56. al-Jāḥiẓ, *al-Bayān wa al-Tabyīn*, 1st ed., vol. 3 (Beirut: Dār al-Jīl,

The following verses evidence the custom of swearing by the stone alters:

Muhalhil says:

> Never, by the beautifully carved ancient stone-altars which are customarily worshipped.[57]

Ṭarafah says:

> I swore beside the stone-altars that I am going to perish in an encounter that will neither be easy nor kind.[58]

Mutalammis says:

> Have you deserted me for fear of my defamatory poetry? By Lāt and by the stone-altars you will never escape it.[59]

Rashīd b. Ramiḍ al-'Anazī says:

> I swore by the blood poured around 'Awḍ and by the stone altars erected near Sa'īr.[60]

Stone-altars are rarely sworn by. It was the Ka'bah and other rituals and places of *ḥajj* which were very frequently sworn by in emphatic oath of glorification. Even though the Arabs followed different religions, they still collectively respected and revered this Ancient House (*al-bayt al-'atīq*). They believed that it was the first house of God established for mankind to worship therein. We even find Christians swearing by it.

'Adī b. Zayd, who had converted to Christianity in the Pre-Islamic time, says:

> By the Lord of Makkah and the cross, my enemies are busy

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n.d.), 49.

57. Muhalhil b. Rabī'ah, *Dīwān*, (Beirut: Dar Ṣādir, 1996), 48.

58. Ṭarafah, *Dīwān*, 53.

59 Abū Zayd Muḥammad b. Abū al-Khattāb al-Qarshī, *Jamharah Ash'ār al-'Arab*, (Beirut: Dār Ṣādir, n.d.), 78.

60. Ibn Hishām, *Mughni al-labīb*, 1st ed., vol. 1 (Beirut: Dār al-Kutub al-'Ilmiyyah, 1998), 303.

against you, making sure not to leave any evil untried.[61]

Akhṭal, who openly and proudly speaks of his faith in Christianity, says:

> I swear by the one to whom the sacrificial animals are led and in whose house (Ka'bah) vows are fulfilled.[62]

At another occasion, he says:

> I swear by the one for whose sake the pilgrims set out and by those who offer blood of sacrificial animals in the sacred precincts (*ḥaram*).[63]

The same poet says:

> I have sworn by the Lord of the she-camels, which go dancing [to Minā], by the screens and covers of the (Ka'bah) in Makkah and by the sacrificial animals, whose feet are bloodstained because of [long] walks during the days of sacrifice.[64]

The above examples show that whenever the Arabs felt a more pressing need to take an oath, they swore by the Ka'bah or ritualistic things related to *ḥajj*. This has been plainly indicated by Ḥassān b. Thābit al-Anṣārī in his verses dating back to the pre-Islamic time.

> I swear by the Lord of the tamed she-camels, and by their traveling through the vast plains and stony places, and by the sacrificial animals, offered at the altar, the oath of a loyal and determined man.[65]

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61. Aṣfahānī, Abū al-Faraj, *al-Aghānī*, 2nd ed., vol. 2 (Beirut: Dār al-Kutub al-'Ilmiyyah, 1992), 103. There is, however, a little variation in the wording. My source has the first word of the second part of the verse as *'alayya* (against me) instead of *'alayka* (against you).

62. al-Akhṭal, Ghiyāth b. Ghawth b. al-Ṣalt, *Dīwān*, Beirut: Dār al-Kitāb al-'Arabī, 2004), 185.

63. Ibid., 192.

64. Ibid., 23.

65. Ḥassān b. Thābit, *Dīwān*, vol. 1 (Lahore: al-Maktabah al-'Ilmiyyah, n.d.), 136.

'Āriq al-Ṭā'ī says:

> I swore by the stations at Minā, and by the places where lice is pestled (i.e. heads are shaved) that I would exert full efforts.[66]

This practice of swearing by the Ka'bah or other ritualistic things related to *ḥajj* current in the Jāhilī period remained extant even after the advent of Islam. Farazrduq says:

> Do you not know that I have promised to my Lord, while standing between the gate [of the Ka'bah] and Muqām, that I would never abuse a Muslim, nor would I ever utter falsity?[67]

Ḥaṭī'ah says:

> By the she-camels which dance towards Minā from all sides while carrying men.[68]

These examples show that this was the most famous and favorite form of religious oaths. Now, it is hoped that, it would be clear to you that by this they only meant to make their Lord, whom they worshipped, a witness over their statements. The Lord was thus made witness to an event. He was made a guarantor and protector of the contracts and agreements. This was because they believed that by taking a false oath and by being proved wrong in statements, they would earn the wrath of God. The verses we have attributed above to Nābighah in this section clearly explain this point.

As for the pious, by making Almighty God as witness to their assertions, they intended to express their confidence and trust in their Lord and also to express their commitment to what they bear witness to. This will become clear after a study of the examples of oaths presented in the end of this section.

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66. The verse is a part of Zuhayr b. Abī Sulmā's *dīwān*. I could not find it ascribed to 'Āriq al-Ṭā'ī in any anthology or *dīwān*. Zuhayr, *Dīwān*, 51.

67. 'Abdul Qādir, *Khazānah al-Adab*, 1: 223.

68. Ḥaṭī'ah, *Dīwān*, 175.

When the Arabs, in their oaths, mentioned the Ka'bah and offerings and referred to touching it, they intended to evidence a claim. This way they also pointed towards the method of swearing an oath. Merely swearing by God does not produce the desired result. Therefore, they tried to point towards the origin and essence of the oath and depict the form of taking an oath. This they did in order to make it an effective communicative technique.

I have held that the Arabs employed oaths to bring evidence to a fact. This I base on their history and poetry. This view can be further corroborated by the fact that they often held God a witness to their statements. They would thus say: "God is witness," "God knows" or any other similar thing. The following verse of 'Amr b. Ma'dīkarib is a case in point:

> God knows (*ya'lamu*) I did not cease to fight them till the time their [dead bodies] were piled up to my horse, covered with red foamy blood.[69]

Al-Ḥārith b. 'Ibād says:

> God knows (*'alima*) I am not among those who caused this nuisance. Rather I am the one exposed to its flames.[70]

This can be further corroborated by the relic of the serpent and its client. The story, according to Nābighah, goes as follows: The snake bit the son of his human client. The son died. The serpent and his client agreed on a certain amount of *diyah* (blood money) which the serpent paid. Afterwards the man tried to kill the serpent in retaliation even after receiving the *diyah*. The serpent escaped the onslaught. Sometime later the man wanted to renew the promissory vow of camaraderie with him. This event has been poeticized by Nābighah as follows:

> The man said: "Come, let us hold God a witness between us or you fulfill your [earlier promise] to the last." The serpent

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69. Ḥamāsah, 1: 56. The verse has been ascribed to Hārith b. Hishām, not 'Amr as Farāhī says.

70. 'Abd al-'Azīz Nabawī (compiler), *Dīwān Banū Bakr fī al-Jāhiliyyah*, 512.

> responded: "By God (*yamīn allāhi*), I am not going to do that. I have found you enchanted. Your vows (*yamīnuka*) are untrue."[71]

Another clear example is found in the Prophet's (sws) last *ḥajj* sermon. After explaining the fundamentals of Islam, he asked the audience: "Have I communicated to you? (They all said: "Yes, you have.") O God, bear witness." (*Bukhārī*, No: 1654) Thus, he held Almighty God a witness to their statement.

Still another example is what the Prophet (sws) said to Ibn al-Latībah. The Prophet (sws) had appointed Ibn al-Latībah as a tax collector. He accepted personal gifts from the people. When the Prophet (sws) came to know of this, he was enraged. He reminded Ibn al-Latībah his responsibilities and then, while raising his hands to the heavens, said: "O God, I have communicated [what is upon me]." (*Bukhārī*, No: 2457)

Such an example of raising hands to the heavens and then calling God to bear witness over something is also found in a relic related to Abraham (sws). Genesis 14:22-3 reads:

> But Abraham said to the king of Sodom: "I have raised my hand to the Lord (i.e. I have sworn by), God the Most High, the Possessor of heaven and earth, that I will take nothing, from a thread to a sandal strap, or anything else that is yours."

Abraham (sws) meant to say: "I swear by God and I make Him a witness to what I have promised." I believe that raising hands in the prayer also signifies covenanting and witnessing. This issue has been discussed in our book '*Uṣūl al-Sharā'i*'.[72] The Qur'ān indicates this point at various occasions. Some of the relevant evidences have been presented in section eight.

To sum up, we can say that the religious oaths are originally

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71. Nābighah, *Dīwān*, 70.

72. The author has referred to this book in more than one occasion in his works. Amīn Aḥsan Iṣlāḥī too, in his biography of the author, mentions the name of this work as *'al-Rā'i' fī 'Uṣūl al-Sharā'i'* without providing any details about the status of the work. To my knowledge the author has not left any manuscript containing a part or discussion on this topic. It appears to me that once he conceives a book and plans to work it out he starts referring to it as a helpful source.

taken to evidence something. The meaning of glorification has been mingled with the original meaning only because of the consideration of the *muqsam bihī*, and not because of the mere act of bringing evidence by oaths: the most manifest meaning of swearing an oath.

This fact is borne out by another kind of oaths of the Arabs where they swear by a *muqsam bihī* exclusively in order to bring evidence to prove a point. This, however, is a very delicate discussion of *balāghah* (rhetoric). We will take it up in the following sections.

Section: 11

Argumentative Oath

We have learnt that the Arabs in their oaths bore witness and called God's witness to what they intended to asseverate. Among oaths brought to witness some claims, the oath taken by the name of God Almighty best communicates the intention of the oath-taker. That is why swearing by God abounds in the conversations as well as the literature of the Arabs. Those lacking a proper understanding of the Arabic styles of expression and discipline of *balāghah* assume that originally only God could be held witness in oaths because of the glory He possesses.

However, a thorough analysis of the Arabic literature reveals that, besides other things, they even swore by things they neither worshipped nor respected. They only intended to evidence a fact by making the *muqsam bihī* a witness for the *muqsam 'alayhi*. Even purely religious oaths were characterized by this aspect of evidencing a fact, as will be established in section 15. For now, we only intend to present the examples of the argumentative oaths so that the true signification of such oaths is brought to light. Abū al-'Aryān al-Ṭā'ī, while eulogizing Ḥātim, says:

> People know and the cooking pots and the shining sharp edges of knives, which flow continuously, bear witness that you do not take more time to entertain a night visitor than is taken in unsheathing the sword (to slaughter an animal).[73]

Al-Rā'ī says:

> Indeed, the heavens, the wind, the earth, the days, and the city, all bear witness. I made Banū Badar taste the consequences of their recalcitrance in the combat of Hibā', an unparalleled battle.[74]

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73. I have no access to the source of this couplet too.
74. al-Jāḥiẓ, *al-Bayān wa al-Tabyīn*, 1: 82.

Nābighah al-Dhubyānī says:

> The horses bear witness that, at the time of intense spearing, we proved a scourge of punishment for some and a blessing for others.[75]

'Antarah says:

> Horses and the horsemen bear witness to that I rent their force asunder through a decisive spearing.[76]

Notice the use of cooking-pots, knives, heavens, winds, the earth, days, cities, horses and horsemen as proofs to the statements of the oath-takers. They mean to say: "Ask these things. If they could speak, they would bear witness to what we state."

This style of evidencing a fact by specific things has been employed in the following statement of al-Faḍal b. 'Īsā b. Abān in one of his sermons:

> Ask the earth: "Who has engraved your streams, planted your trees and harvested your fruits?" If it does not speak by tongue its very state will testify.[77]

I believe the Book of Job echoes this in the following part of the sermon.

> Ask the beasts, and they will teach you; and the birds of the air, and they will tell you; or speak to the earth, and it will teach you; and the fish of the sea will explain to you. Who among all these does not know that the hand of the Lord has done this, in whose hand *is* the life of every living thing, and the breath of all mankind? (Job 12: 7-10)

Similarly it has been said in Deuteronomy:

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75. Nābighah, *Dīwān*, 106.

76. 'Antarah b. Shaddād, *Dīwān*, 2nd ed., (Beirut: Al-Maktab al-Islāmī, 1983), 134.

77. al-Jāḥiẓ, *al-Bayān wa al-Tabyīn*, 1: 81.

> I call heaven and earth as witnesses today against you, *that* I have set before you life and death, blessing and cursing; therefore, choose life, that both you and your descendants may live. (Deuteronomy 30:19)

By this testimony, the Prophet Moses (sws) intends to say: "This covenant between you and me is not a secret. Rather we formalize it openly making it known to all. Dishonoring it would earn you everlasting disgrace. You will then continuously face curse and punishment from the heavens above and the earth below."

The Prophet Moses (sws) has thus presented heavens and earth to exemplify perpetual disgrace which must follow a breaking of the pact. It is as if he appointed two witnesses over them, which may not abandon them even for a moment, and appointed two signs, which may always remind them of the pact.

What fully uncovers the true nature of the argumentative oaths, in which the state of some inanimate thing is made to bear witness over a claim, is the fact that just as the oath-takers make things to bear witness over a fact using the words *yashhadu* (he bears witness), *ya'lamu* (he knows) and similar expressions, they also employ words which connote swearing and even such words and particles as were coined to express an oath including *wāw* of *qasam* or the *la'amrī* (upon my life) and the like.

For the benefit of those who have not been convinced by the aforementioned examples, we refer to examples where oaths have been sworn by inanimate objects which can only speak by their state. 'Urwah b. Murrah al-Hudhalī says:

> And Abū Amāmah said: O Bakr, help! I said: "By the Markhah tree (*wa markhatin*), what an inflated claim!"

The poet satirizes Abū Amāmah's call to the tribe of Bakr for help. He means to say: "This is an awfully inflated claim. What an insignificant people to rely on!" He swore by an unmeaning tree that cannot even shelter a man. He depicted the tree as proverbial for weakness and inability to provide shelter. This meaning is also clear in the following verse ascribed to Abū Jundub al-Hudhalī:

> I am a man who tucks up loincloth to the middle of his calf

(i.e. I instantly get ready for the task) when called for help by a neighbor. You should not take my neighbor as a man seeking shelter under a *Markhah* tree. Nor should you mistake him as a mild grass growing in a low land.[78]

The oaths Hajras swore, after he had slain Jassās, the killer of his father, are also relevant:

By my horse and its ears, my spear and its edges, and my sword and its blade, one cannot spare the killer of his father when he sees him.[79]

Hajras has sworn by things which evidence his statements. He means to say: "How can I spare the killer of my father while I am able to advance and retreat, spearing and fighting with a sword." Thus he has sworn by such things that are supposed to ratify his statement and prove his claim.

Ṭarafah says:

By the blood ties and by your grandfather, whenever you will encounter danger I will come to your help.[80]

Ṭarafah says that he will never fail to attend a meeting of his blood relatives held for the settlement of an important matter. He could never disregard blood ties. Blood relation meant everything to the Arabs. They would, therefore, take an oath by God as well as by blood ties. The poet swears by it in order to furnish evidence for his commitment to his relatives and to externalize it.

Another example is found in a verse ascribed to al-Ḥaṣīn b. Ḥammād who, while lamenting the death of his friend Na'īm b. Al-Ḥārith, says:

We killed five (men) and they fell Na'īm. It is honorable for a respectful young man to be killed. By the women lamenting the death of Na'īm, his murder has been hard on us.[81]

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78. *Dīwān al-Hudhaliyyīn*, 2nd ed., vol. 3 (Cairo: Dār al-Kutub al-Miṣriyyah, 1995), 92.

79. Aṣfahānī, *al-Aghāni*, 5: 67.

80. Ṭarafah, *Dīwān*, 27.

81. Aṣfahānī, *al-Aghānī*, 14: 12.

By swearing by the lamenting women, the poet intends to point to their apparent condition which evidences the havoc created by the event. It reveals how badly the relatives of the murdered man have been affected. This kind of oaths is not very common because of the delicacy involved in it and due to the currency of other forms of oaths signifying the same meaning. However, it has been a well established form of taking an oath containing multifaceted rhetorical beauty (*balaghah*). This issue will be discussed in detail in the seventeenth section.

We, on the basis of very sound arguments, maintain that this form of oath taking has been applied both by the Arabs and the non-Arabs. It would not be inappropriate if we referred to the Greek literature to support our viewpoint.

Section: 12

Argumentative Oath in Demosthenes

Greeks were an independent nation in the beginning of their history. Unacquainted with coercion, they lived under a democratic system till the reign of King Philip, the father of Alexander the Great. Philip established his personal rule. He had to face the pro-democratic powers which offered him very fierce opposition. Many bloody battles between both the parties ensued. The greatest Greek orator Demosthenes headed the opposition. When the democratic powers were defeated by King Philip, Demosthenes made a historical speech to the Athenians in order to dress their feelings and to praise their bravery and love for freedom. In this speech, he defended his views and negated those of his opponent Æschines, who sided with the king. We reproduce relevant parts of his speech in the following:

> No, my countrymen, it cannot be that you have acted wrong in encountering danger bravely for the liberty and the safety of all Greece. Your forefathers had already left a model for you to emulate. They were certainly not on the wrong; those of your forefathers who fought at Marathon, those who offered their lives at Salamis, those who bravely fought at Plaataea. Never indeed. By the generous souls of ancient times who endangered their lives in the field of Marathon! By those who encountered the fleets at Salamis! By those who fought at Artemisium! By those courageous warriors who stood arrayed at Plataea! O Æschines, the sons of Athens did not pay homage only to those who prevailed, not only those who were victorious. They showed respect to all of them by paying honor to their dead bodies democratically.[82]

82. Demosthenes, *Public Orations of Demosthenes*, (London: Jones and Company, 1828), 177.

The public did not welcome their victory and did not show respect to it. Rather they honored their bravery, courage and love for liberty. Same is your case. If you have not carried the day this time do not fret over it. It is glorious enough that you risked your lives for the sake of liberty and freedom of the country.

Let us ponder over the oaths of Demosthenes. He depicts their forefathers and their courage and valiance for his audience in order to fill their hearts with pride and passion. He has successfully invoked their valiant and brave deeds as evidence of the failed yet rightful and brave cause of his audience. Such true depiction has only been made possible by couching the words in the form of oaths that serve the purpose of emphasizing the statement.

This form of oaths is known for its cogence. It has been considered an excellent literary device by the literary experts of ancient times as well as those of later periods. However, I believe that the later Greek scholars could not appreciate the essence of these oaths. So did our scholars. We see that hardly six hundred years after Demosthenes, Longinus, the famous Athenian literary critic and teacher of rhetoric, discusses this type of oaths in his book on rhetoric. Regarding the oaths taken by Demosthenes, he holds that the beauty of these oaths is the abounding glorification of *muqsam bihī* in them. The oath-taker has indeed put the ancients at the stead of deities. He rejects the view that this type of the oaths is of the genre applied by the poet Eupolis, who swore an oath by his crown.

Now, I present the oath taken by Eupolis, which is yet another example from the Greek literature. You will learn that the view rejected by Longinus is the only plausible one.

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Section: 13

Argumentative Oath in Eupolis

During the democratic period, the Greeks would customarily crown the valiant accomplishment of an extraordinarily brave warrior meeting the expectations of the nation. They would thus honor brave men and admit their privilege. The poet Eupolis was one who earned such an honor by showing bravery in the battle of Marathon.

Later, some envious people accused him of having harbored ill will for his nation. By this, they intended to remove from the hearts of the nation the respect he commanded. They wanted the public to abhor him. Eupolis tried to defend himself against such accusations in a poem. Two of the relevant verses are being translated here:

> No, by the crown embellishing my head, bestowed upon me at the Battle of Marathon, none of my foes can prove that I am harboring ill will [for my nation].[83]

We see that the poet has taken an oath by the crown he received from his nation. He seeks to prove that he did not bear ill will for them. It is as if he says: "How can I bear ill will for my people after they honored me greatly."

We see in this example, and among other similar ones, that an oath is not specific to the deities. This brings down the foundation of Longinus' viewpoint. Those who considered the oath of Demosthenes and Eupolis as belonging to the same genre

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83. The name of the Greek poet according to Farāhī is Bāliyūs [in Arabic]. He is perhaps the poet Eupolis. For Longinus, in his work, discusses and compares oaths taken by Demosthenes and Eupolis. See: Dionysius Longinus on the Sublime: in Greek, together with the English translation by William Smith, D.D. (Baltimore: Edward Matchett Printer, 1810).

are correct. Both of them have used oaths by way of evidence and examples. They did not intend in their oaths the glorification of the *muqsam bihī*. If the *muqsam bihī* itself contain any kind of glory, it is a mere coincidence and not the intention of the oath-taker to establish it. An oath in and of itself does not speak of glorification of the *muqsam bihī*. On the contrary, sometimes it implies the negation of glory in the *muqsam bihī*. 'Urwah b. Murrah, whose verse we have already mentioned in the eleventh chapter, takes an oath by the Markhah tree in order to exemplify weakness and insignificance.

Section: 14

Evidentiary Significations of Argumentative Oath

We have been acquainted with argumentative oaths in prose and poetry from both the Arabic and the Non-Arabic sources. We have also learnt that employing an oath to reinforce a statement is a certain style of lending eloquence to the discourse. Now I wish to explain the evidential significations of the examples of oaths mentioned in the previous chapters. This will help us fully understand the argumentative character of oaths. A thorough discussion in this regard is necessary because this issue is of central importance to this book. We will also find some further examples of this kind of oaths in the discussion around the rhetorical aspects of the oaths.

While taking oaths of evidence, the Arabs, at times, clarify the nature of the *muqsam ʻalayhi*, such as in the following verse of al-Rāʻī:

> Indeed, the heavens, the winds, the earth, the days and the city all bear witness (*tashhadu*) to that ….

The poet says that what he swears of is so evident and well established that everything bears witness to it. Everything on the horizons of the skies and the corners of the earth proves it. Every city knows it. It has been preserved on the pages of history. The strength of stress on the assertion is achieved by highlighting the fact that even inanimate things bear witness to it let alone men endowed with the faculties of hearing, vision and speech.

This is apparently a bit of exaggeration. Yet it is based on truth. It relies on the general knowledge of the fact. It is similar to the oath taken by Moses (sws), as referred to earlier, where he swore by the heavens and the earth.

Sometimes oath-takers mean to present something as an example by way of comparison in order to strengthen a claim. The oath of ʻUrwah b. Murrah referred to above evidences this

fact. He has likened the tribe of Banū Bakr, whom Abū Amāmah called for help, to the Markhah tree. This is merely an empty claim. However, when such a claim is just intricately hinted at, it is often well received by the audience, just as is the case with simile and antonomasia. This has been explained by the experts of *'ilm al-ma'ānī* (Science of Meaning). We will return to this discussion in the seventeenth chapter.

Sometimes, by such oaths, the oath-takers try to corroborate a statement. They thus swear by the *muqsam bihī* because it corroborates the *muqsam 'alayhi*. We can see this in the statement of Eupolis mentioned above. He swears by the crown by which his nation had honored him. This act of his nation was an expression of respect and glorification for him. It is as if he says, in rejecting the claim of his contender: "I, after receiving this great honor bestowed upon me, cannot be imagined to have borne ill-will for my people." This evidence was indeed weak. For his opponents could have said: "You are ingrate. You have changed since your people honored you." He has, therefore, further strengthened his oath by the crown by adducing his personal dignity and respect. He seems to say: "I have acquired this respect in the most famous war my nation ever fought, a war in which all the great warriors of the nation showed their true valor. None of them could reach my position." This stress and emphasis on his personal traits did not leave his opponents with an option but to recede to the position of the envious who can only fret over other people's honor and dignity. Still, however, this kind of oaths does not fully tie together a claim and evidence to prove it.

Sometimes the oath-swearer intends to bring a decisive proof for his statements. This could be achieved by referring to a fact which joins the *muqsam bihī* and *muqsam 'alayhi*. This phenomenon can be observed in the oath taken by Demosthenes. He mentions the praiseworthy works of the ancestors of his addressees. His audience could not doubt his claims. Thus he could definitely prove that their deeds were just as praiseworthy as the acts of their forefathers, whom they emulated. To do this, he first makes it plain that their ancestors were exemplars for them. This is indeed the best form of argumentative oaths.

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Section: 15

Evidence from the Qur'ān

It has been sufficiently proved that the basic purpose of an oath is to ratify a statement. It has also been established that gloriousness of the *muqsam bihī* is not a necessary characteristic of the oath. This is an additional thing obtained only when the oath is taken by God and His *sha'ā'ir*. It has also been explained that sometimes oaths are brought merely as evidence. These premises make it clear that the oaths of the Qur'ān upon which objections have been made are the oaths brought to furnish proofs and bring evidence from the facts mentioned as the *muqsam bihī*, for the claims made in the *muqsam 'alayhi*.

Someone may, while admitting that oaths are basically brought for bearing witness to a fact, claim that oaths have been widely used for the sake of glorification of the *muqsam bihī*. This change in its usage has grown to be a reality. The real essence of the oaths (i.e. evidencing a *muqsam 'alayhi* by force of evidence provided by the *muqsam bihī*) has lost significance. That is why we have been forbidden to take an oath by other than God. We will therefore not turn to the essence of an oath unless we find a separate decisive proof for the fact that it has been taken in the original (now obsolete) sense."

To this our response would be this. We do accept your claim. However, the Qur'ān itself has led us to the conclusion that the essence of the oaths has to be taken in consideration while attempting to interpret the Qur'ānic oaths.

Some of the Qur'ānic indications leading us to this conclusion follow:

First, it is a general style of the Qur'ānic expression. The Qur'ān applies a word to describe man here and Almighty God there. In so doing, the Qur'ān uses different significations of the word. A word applied to common mortals is not applied to Almighty God in the same sense so that it does not mismatch the glory of God. In

the Qur'ān, the word *ṣalāh*, for example, is attributed both to men and God. When attributed to men, it connotes to pray and when applied to God it means to bless. The word *shukr* is another such example. When this word is used for men, it expresses showing gratitude on some blessings and when applied to God, it connotes considering and accepting the good deeds of the pious servants of God.

Similarly, *tawbah* (relenting), *sukht* (resentment), *makr* (planning), *al-kayd* (scheming), *'asif* (regret), *ḥasrah* (grief) and the like have different significations. In fact, no word in the Arabic language is applied to God without considering its proper signification. Whenever we use any word for God, we take only in that signification which corresponds to God's exalted position. This principle cannot be ignored while interpreting the Qur'ānic oaths. Oaths have different aspects and significations from which we adopt the one which corresponds to the exalted position of God. All other significations which are not appropriate for God cannot be taken to be applied in the Qur'ānic oaths.

Second, the principle of interpreting similar usages in the light of each other, and explaining verses with the help of their parallels also leads us to this. We see that the Qur'ān mentions an argument in the form of oaths at one occasion and then presents the same arguments, at other occasions, in simple form. In both these cases, the basic purpose is to evidence a fact for the benefit of those who ponder over the Qur'ān. God Almighty says:

> Indeed, in the creation of the heavens and the earth; in the alternation of night and day; in the boats that sail the oceans with cargoes beneficial to man; and in the water, which God sent down from the sky and with which He revived the earth after its death and dispersed over it all kinds of living creatures; in the variation of the winds and in the clouds put to service, between earth and the skies: surely, in these there are many signs for men endowed with reason. (Q 2:164)

Verses of this kind abound in the Qur'ān. They refer to various signs in order to bring evidence for and prove some important theses. When we ponder over the oaths, we see that it is but these things which have been used in the oaths as evidences of certain facts. A reading of the oath verses would help us observe this fact. The Qur'ān swears by the heavens, the earth, sun, moon,

night, day, morning, forenoon, winds, clouds, mountains, seas, cities, man, father, son, male, female, odd and even. These are but the same phenomena which are referred to as evidencing facts in other places. Thus their status of being evidence has been clearly explained by the Qur'ān itself in other places. These sign verses serve for us as a precedence to interpret the oaths. We may, therefore, not interpret such oaths as serving the purpose of glorification of the things put as the *muqsam bihī*.

Third, the nature of the *muqsam bihī* itself shows that the oaths have basically not been brought to refer to the glorification of these things. No man endowed with the power of reason can imagine God Almighty placing His creatures on the position of a sacred deity, especially when these things are never supposed to have any kind of sacredness attached to them. What glorification do the panting horses and the winds that scatter dust have? Things used as *muqsam bihī*, including the heavens, earth, sun, moon, stars, etc, have elsewhere been clearly told to be among objects controlled, harnessed and led on will. Merely swearing by these insignificant things is enough proof that they are only brought as witnesses and proofs, and not as anything glorious.

Fourth, a study of logical relation and connection between the *muqsam bihī* and the *muqsam 'alayhi* guides us to our preferred interpretation of this type of the Qur'ānic oaths. The Qur'ān has used such oaths in a style where a rational being never fails to discern that they testify to the facts sworn of. That is why we see that the author of *Tafsīr al-Kabīr*, Imām Rāzī (in spite of his view that the oaths express glory of the *muqsam bihī* and in spite of the fact that he has gone to excesses while explaining the oaths by the fig and the olive in terms of glorification) did not miss the general aspect of evidence in such oaths. While dealing with the oaths occurring in the beginning of Sūrah al-Dhāriyāt (Q. 51), he writes: "All these are evidences and proofs couched in the form of oaths."[84] Had he pondered over all such oaths which have been brought to evidence some facts in the Qur'ān, he would have opted for the same interpretation in all instances of the use of evidentiary oaths.

Fifth, the Qur'ān has at times sworn by all creatures in general terms. It has elsewhere also presented them in general terms as signs of the Creator Lord leading to certain truths. Almighty God

84. Rāzī, *Tafsīr al-Kabīr*, 28: 194.

says:

> So I do call to witness what you see, and what you see not. (Q 69:38-9)

This oath covers everything, hidden or manifest. This general reference has been made at another occasion:

> There is nothing which does not exalt Him with praises. (Q 17:44)

Everything in this universe praises Him and testifies to His glory. This type of generalization of the *muqsam bihī* and the signs of God resembles the use of opposites, as in instances where God swears by night and day and by the heavens and the earth. How can one believe that God glorified everything in general terms? Their status as open signs is obvious and understandable. Why then should we abandon the clear meaning and opt for an improbable implication?

Sixth, at some occasions, evidentiary oaths follow warnings and indications which lead to the fact that the things sworn by serve as an evidence for the *muqsam 'alayhi*. Consider the following example:

> The break of day, the ten nights, the even and the odd, and the night when it moves on to its close, bear witness. Is there not in it strong evidence for one possessed of understanding? (Q 89:1-5)

What the latter part of the second verse mentioned above implies follows most of the arguments found in the Qur'ān. It has been said in Sūrah al-Naḥl (Q. 16):

> In all these things there are signs for men of understanding. (Q 16:12)

In Sūrah Ṭāhā (Q. 20), such arguments are followed by the words:

> Verily, in this are signs for those endowed with reason. (Q 20:54)

Similarly, it has been said in *Āl-i 'Imrān*:

> Verily, in this are signs for men endowed with discernment. (Q 3:13)

Examples of this kind of oaths abound in the Qur'ān.

In the same fashion, we see in the verses of Sūrah al-Fajr that the oaths sworn by the signs of God have been followed by indication that these serve as signs and testimony for the people of understanding and insight.

Another such indication occurring after the oaths is found in Sūrah al-Wāqi'ah (Q. 56):

> Nay, I cite as proof the shooting of the stars. And, indeed, that is a grand testimony, if you only knew. (Q 56:75-6)

The implication is that it is a great sign and a sound testimony. Here the Qur'ān has clearly referred to the glory of the oath, and not of the *muqsam bihī*.

Seventh, the *muqsam bihī* in the Qur'ān often accompanies a particular attribute. This also indicates aspects of testimony and argumentation. Consider some of such Qur'ānic examples:

> By the declining star. (Q 53:1)

> Nay! I call to witness the stars that recede, rush ahead and hide. (Q 81:15-6)

> Those ranging in ranks, who tantalize and recite the Reminder bear witness. (Q 37:1-3)

> The winds that scatter dust, then carry the load, then speed lightly along, and then differentiate the affair bear witness. (Q 51:1-4)

> And I call to witness the reproaching self. (Q 75:2)

Al-thurayyā (Pleiades), the retreating stars, the ranking angels, the winds scattering dust and distributing the affairs, and the reproaching self all are evidences evoked to prove something. They are not objects of glory.

Eighth, in some cases, certain arguments and signs precede the *muqsam bihī*. The *muqsam bihī*, in such instances follows supportive arguments in a way that it clearly points to them. The argumentative oaths are thus prefaced by clear arguments. Such occasions also offer a very interesting study for a student of the Qur'ānic structuredness. I explain this fact by the help of the following example. It has been said in Sūrah al-Dhāriyāt:

> On the earth are signs for those who believe and also in your own selves. Do you not see? And in the heavens is your sustenance, and also that which you are promised. (Q 51:20-22)

These verses imply that the earth contains signs of the Providence of God Almighty leading to the Last Day. Such signs are scattered everywhere. Elsewhere, this fact has been further explicated. We see that just after the mention of the earth and of the heavens, which carry signs of the Last Judgment or of the need of recompense, God has stated:

> And by the Lord of the heavens and the earth it (i.e. recompense and judgment and not the Qur'ān as many commemorators have opined) is certainly the truth, it is as true as you speak. (Q 51:23)

It is obvious that this oath, besides having an aspect of glorification (for it is sworn by God), gives clear meaning of argumentation, as it refers to the signs found in the heavens and the earth. The *muqsam bihī* has been carefully expressed in such a way as to point out the clear and manifest argumentation from the empirical signs dealt with in the preceding verses. Since the aspect of glorification of the *muqsam bihī* was more prominent in this oath (which could have made the argumentative aspect of the oath to disappear), simple and separate arguments have prefaced the oath.

The above Qur'ānic proofs sufficiently validate my view. Still however, someone may question this by asking why the correct view has remained unclear to the earlier authorities. He may, based on this, maintain that this novel approach is unconvincing. We take up this issue in the coming section.

Section: 16

Causes of Obscurity of the Correct View

What I have mentioned regarding the views of the scholars in the preceding chapters makes it clear that my view is not novel. However, some aspects of this approach have not been open to the earlier scholars. They did not stick to it fully, letting it off their hands on one occasion, and mixing it with other theses at another. I will now proceed to explain the causes of their failure to understand and adhere to it fully, so that their excuses can be identified.

First, at many places, the *muqsam bihī* by nature is a glorious thing. The Qur'ān, the Mount Ṭūr, the city of Makkah, the sun, moon, stars, time, night and day, all have some aspects of glory. In such cases, the earlier scholars did not need to explain that the oaths are argumentative in nature. They considered taking an oath by the glorified and dignified things as common practice. Whenever they found a *muqsam bihī* containing various significations, they attached to it the meaning corresponding to glory. This kept them from further study and thus they failed to find the correct view and remained content with the most ordinary and common interpretation. Water continues to flow to the downside until it is hampered.

Second, our scholars generally adopt universally applicable approaches. They are seldom attracted to an approach that cannot be applied to even a certain part of the phenomenon. The argumentative nature of the oaths of the Qur'ān, despite being so pronounced in some cases, is less clear in others. When they did not find this aspect of the oaths clear in all cases, they concluded that it would be wrong to interpret the oaths as argumentative in nature. It would be better if they had confessed their inability and referred the issue to Almighty God, but they seldom show humility and rarely confess their shortcomings. This is exactly what happened with their attitude towards the question of

coherence in the Qur'ān. The coherence in the Qur'ān is obvious and palpable in most cases. Only a few places offer difficulties. Had they again here confessed their lack of knowledge as some of them have done, it would be more befitting to them. But we see that they did not mean to hold the view that the coherence is absent from the Qur'ān, but rather they meant that it was not applicable to the whole of the Qur'ān as a general principle. This led many people to believe that coherence is absent from the Book altogether and that all is disjointed and confused discourse.

The correct approach is to prefer and stick to views corroborated by evidence and established by proofs. This is what the Qur'ān directs us to do:

> Those who listen to a command and then follow the best of it. These are they whom God has guided and who are men of understanding. (Q 39:18)

We ought to ascribe any difficulty we face in understanding the oaths of the Qur'ān to a lack of knowledge on our part. We should hope that God will create ease for us after we have experienced difficulties. He will strengthen us after we have broken apart. Disciplines always keep growing. God leads to the truth whomever He wills. Mere dimness of the argumentative aspect of some of the oaths should not lead us to adopt a wrong and absurd interpretation. The verses containing plain arguments themselves are not always so clear as to not require any analysis at all. The Qur'ān has certified this and has called us to pondering it and to exert our efforts to understand it. It is only men of understanding and the pious that may get guidance from it, as has been repeatedly asserted in the Qur'ān and the Divine Scriptures. Yet, no believer denies certitude and unassailability of the Qur'ānic arguments. Desire to know the truth is the first step towards the path of pondering over the Qur'ān. One must continue applying his mind to appreciate the Qur'ānic arguments until difficulties are solved, heart is satisfied and sure knowledge is obtained.

I, by the grace of God, have obtained satisfaction on this view after I have pondered all of the Qur'ānic oaths. I have come to understand that these oaths are argumentative in nature. It is only the Qur'ān which has guided me to this view through various indications, as have been discussed above.

Third, when the scholars, especially the earliest ones, noticed that oaths are mostly sworn by Almighty God or His *sha'ā'ir*, they were led to assume that it was the essence and crux of the oaths. Having formed this view, when they embarked upon interpreting other kinds of oaths, they interpreted them in accordance with their view and considered them as allegorical use of oaths. They adopted the view that wherever the actual meaning was not possible to defend in an oath, one should rely on allegorical interpretation. We believe that both of these claims are wrong. If a particular aspect of oaths was used more often than other aspects, it did not necessarily mean that the dominant use formed the crux of the practice. Nor should the allegorical interpretation be adopted only when we cannot find the literal meaning probable in a context. The correct view is that one has to accept such interpretations that are more in accord with, and that more beautifully fit in the context. Moreover, the chosen usage must be corroborated by and established in the classical Arabic literature.

When these people put the branch at the stead of the root, the true aspect of the oaths, their argumentative nature, was lost upon them. They were only forced to admit the argumentative nature of some oaths because this aspect was very much obvious and clear in those places. The Qur'ān has, by such clear examples, called them to the correct view very openly and attracted them strongly to it. They still persisted on their earlier assumptions. Thus, the true nature of the Qur'ānic oaths was not screened by the Qur'ān, but by the assumptions of the interpreters. May God forgive them!

Fourth, most referents of the *muqsam bihī* in the Qur'ānic oaths have multiple aspects. However, only a single particular aspect is prominent. Take, for example, the story of destruction of Pharaoh and his people. Most famously they were destroyed by water. People did not see the role of winds in this process whereas the truth of the matter is that whole phenomenon involved one of the uses of the wind by order of its Lord. Similar is the case with the Noachian flood, as we have explained in our commentary on Sūrah al-Dhāriyāt (Q. 51). Wherever the relationship between the *muqsam bihī* and the *muqsam 'alayhi* was dependent on any of such aspects, the argumentative nature of the oaths was lost upon those who could not discover the correct sort of relationship between the *muqsam bihī* and

muqsam 'alayhi. Since the detail of such punishment stories was not helpful in understanding the principle beliefs and major directives, our scholars did not find it very demanding to fully discuss them.

Fifth, (this cause is apparently similar to the previous one) our scholars have always cherished rational and historical disciplines and have attached less importance to more excellent branches of knowledge in *tafsīr*, including the language of the Qur'ān and of the earlier Scriptures, the history of the Semitic nations, their disciplines and their culture. Since this problem does not have a direct bearing specifically upon the Qur'ānic oaths, we do not go into detailed discussion in this regard. Indeed I do not find it necessary to cover all the causes of failure to understand the true nature of such oaths. Therefore, I conclude this discussion at this point. I believe this short exposure to the issue is sufficient.

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Section: 17

Rhetorical Aspect and Intricacies of Oath

If these oaths are arguments, then why has this not been plainly mentioned? We need to appreciate that there are different levels and various kinds of argumentative discourse. There are some contended issues to which humans are not psychologically attracted to. There could be some other issues for which they do not feel an aversion. The problems of physics, mathematics or the history of earlier nations are such examples. In this case, the arguments are better put plainly. However, sometimes we need to argue for issues which have a psychological aspect. In such issues, both the addressor and the audience develop a kind of inclination or reluctance, deterrence or condescension, and insistence or importunity. In these matters, it is considered necessary to argue at different levels. One employs different styles of expression with varied degree of clarity, intricacy, sharpness and persuasion.

At times, one feels it necessary to change a style of expression. He intends to avoid offending the audience. He may do so in hope that some of the styles of expression may prove more successful in convincing the audience. This last approach has been clearly referred to in the Qur'ān. The Almighty says:

> See how we expound our verses in various ways that they may understand! (Q 6:65)

Abraham (sws) adopted this very approach while dealing with the one who argued with him about the Lord. Abraham (sws) did not insist on the first argument he had offered. He, on the contrary, brought forward another argument which was, according to him, more readily understandable for the interlocutor. Thus "the disbeliever was confounded." (Q 2:258)

This is summary of my response to the above mentioned question. Another important thing is that, in an instance of

argumentation couched in the style of oaths, there are useful indicators opening up various doors of rhetorical devices. Such devices are further decorated by layers of beauties of style. I wish to explain such important points to you which will help you see the rhetorical beauties of this style of argumentation.

First, it produces firm emphatic statements. This is clearly noticeable in the statements attributed to the Christian Apostles as quoted in the Qur'ān:

> They said: "Our Lord knows that we are, indeed His Messengers to you and our duty is only plain delivery of the Message." (Q 36:16-7)

Similarly at another occasion, the Almighty says:

> This sky brimful of rain and the earth which splits bear witness that this is a decisive word and it is no jest. (Q 86: 11-14)

The Arabs knew that when a cultivated and free man took an oath, he in fact externalized his will with full force. He negated any aspect of frivolity on his part. This is why the oaths have been abundantly used in the revelations coming down in beginning of the Prophetic call. The seriousness and solemnity from the Prophet's (sws) part was thus fully conveyed to his audience. This has been clearly indicated to in both of the above mentioned verses. This objective was achieved because of a certain characteristic of the oaths. It was not obtained because of glorification of the *muqsam bihī*. This can be further explained by an example. We sometimes emphasize our assertions and negations by putting them in the form of simple or exclamatory questions or stressed exclamations. These expressions are formed by the help of words of address. For example, they say "*yā lalmā'i* (flood!!)" when they find a sudden flood of water. Such expressions add to the element of seriousness and firmness on the part of the speaker.

Second, oaths are exclamatory in their form. They do not leave the interlocutor with a ready opportunity to reject it. He could, however, reject the *muqsam 'alayhi*. This is because the *muqsam 'alayhi* is in the form of a positive statement. He can in no way reject the oath itself because it is an exclamation. Exclamations

do not accept any negation. Oaths in this respect are similar to a *ṣifah* (adjective). It is not possible for one to promptly reject a *ṣifah*. This is possible only because of the structure of the oath and the *ṣifah.* Otherwise, semantically, both are positive assertions liable to be rejected or accepted.

Sometimes, the Qur'ānic oaths make use of these things simultaneously. The oaths sworn by the glorious Qur'ān, the promised day, the distributors of the affairs, the distinguishing ones, or the ranking ones are examples. If we analyze and explain any of these oaths, we see that they are but two distinct positive and informative sentences. They may be paraphrased as follows: "The angels are ranked in lines like slaves, the winds differentiate and distinguish by the order of God, these people have an appointed day, and this Qur'ān is glorified. All these things are positive statements (*akhbār*) couched in the form of attributes." This style of swearing an oath further made use of the argumentative nature of these things. It has, therefore, been claimed that all these things are signs and arguments which prove certain theses.

If, at any occasion, the interlocutor is expected to be able to respond with negation, then various other techniques are used to avert such a strike. Thus at times the address is directed at the Prophet (sws) [instead of the real addressee], as has been done in the following verse:

> This is Sūrah Yāsīn. By the Qur'ān full of wisdom, you are indeed one of the Messengers. (Q 36:1-3)

In some other occasions the complement of the oath which has to be in the form of positive statement is suppressed. In such cases, only the *muqsam bihī* suffices for the purpose. However, instantly afterwards another theme is introduced which corroborates the suppressed complement of the oath so that the interlocutor does not find enough respite to interpret the injunctive sentence as a positive statement and start arguing against it. At such occasions, the addressee turns to listen to what follows the oath. He is instantly faced with new things which further strengthen the preceding arguments. Consider the following example:

> This is Sūrah Ṣād. We cite as proof the Qur'ān, full of

> exhortation. But the disbelievers are steeped in false pride and enmity. (Q 38:1-2)

Here the injunctive sentence has been considered sufficient and the informative sentence has been avoided. The attribute of the Qur'ān has taken the stead of the informative sentence. The whole could thus be paraphrased as follows: "The Qur'ān bears witness to the fact that it is the reminder and exhortation for them." The attributes of the real addressees have been put. They were not in a position to deny it. Rather they took pride in those qualities. It has been explained that their rejection of the message is a product of their ignorant zealotry and their enmity for the truth.

Another such example from the Qur'ān follows:

> This is Sūrah Qāf. By the glorious Qur'ān! But they wonder that there has come to them a warner from among themselves. These disbelievers say: "This is a strange thing." (Q 50:1-2)

These verses tell us that the glorious Qur'ān itself bears witness to the fact that it is a very clear warner for them from Almighty God. They, however, are rejecting it only because they deem it quite strange that such a task of warning has been entrusted to a commoner among themselves.

However, if something sworn is of the kind in which the addressee does not negate, then the complement of the oath has not been suppressed. Consider the following example:

> This is Sūrah Hāmīm. This perspicuous Book is sure evidence to the fact that we have made it an Arabic Qur'ān that you may understand. (Q 43:1-3)

This oath stresses that the Qur'ān is a clear book. The complement of the oath affirms that it is an Arabic Qur'ān. Both of these things were acceptable to the addressees. As for its being a revelation of God, it has not been distinctively claimed. This is in fact implied in the statement for God has attributed it to Himself.[85] This was to make sure that the addressees could not

85. The Almighty says: "We have made it Arabic Qur'ān." This implies that the Qur'ān is the book revealed by God. This fact however

instantly turn to negate the implied and intended message.

Were it not for the fear of lengthiness and departure from the real issue, we would have explained in detail the suppression of the *muqsam 'alayhi* and the benefits of suppressing it. Rather, we believe that it would be better to explain these issues under the commentary on the oath verses.[86]

Third, oaths afford a compact and brief style. Clarity of meaning in a particular style of expression is added with the degree of brevity it displays. In brief and compact statements, the real meaning is not lost in verbiage. Thus brevity adds to the clarity and the force of the expression. Compact statements, one can say, sharpen the expression and bring the audience near to the meaning. This is exactly why metaphor is often considered a more effective rhetorical device than the simile. We do not feel a need to explain the importance and beauty of brevity of expression, for it can be learned from any book on *balāghah*. Some contemporary experts in this science have exaggerated its beauties. They maintained that brevity is another name of *balāghah*. This view goes out of bounds by limiting all the beauties and niceties of Arabic *balāghah* to this single rhetorical device. They have in fact considered brevity as the foundation of *balāghah* because of the divarication of this art and the variety of its aspects. These experts, therefore, find themselves facing brevity from wherever they approach the art of *balāghah.* Thus they attach to it extraordinary importance and a central role in this science. We, however, believe that these experts failed to grasp the correct view regarding the issue.

We believe that the uses of brevity of expression include the opportunity it allows you to put various arguments in compact form in succession. When all such arguments lead to a single conclusion from various aspects, they produce unusual effects on the audience, and the issue being argued is easily established. This is best presented by the oaths occurring in Sūrah al-Ṭūr (Q. 52), al-Balad (Q. 90) and al-Tīn (Q. 95). If the discourse in these *sūrahs* is interrupted by an otherwise plain explanation of the

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is not conspicuously and prominently put and as such it cannot be instantly detected and negated by a contestant among the audience.

86. Farāhī, in his unfinished commentary on the Qur'ān, could deal only with the oaths occurring in the following *sūrahs* of the Book: 51, 75, 77, 91, 95, and 103.

arguments, the coherence would have been destroyed, and the force of argument lost. Another example is perhaps that of the oaths occurring in Sūrah al-Fajr (Q. 89), al-Shams (Q. 91) and al-Layl (Q. 92).

The Arabs, because of their intelligence and their pride, were fonder of brevity than other people. This is why we find that everything in the Qur'ān is characterized by compactness. Fewer words carry more meaning. If the Qur'ān expansively explains a theme in one aspect, it puts it in brevity at other occasions highlighting other aspects. This also addresses the assertion that the niceties of the Qur'ān will never exhaust.

Fourth, oaths let the audience participate in adducing evidence. This helps remove the sense of confrontation from their minds. Humans find a conclusion more pleasing and agreeable when they themselves reach at it after due consideration of the relevant facts. On the contrary, if a speaker spoon-feeds the audience, disallowing them an active part in the discourse, he bores them and makes the dialogue hard even if they are convinced of the evidence. An unconvinced audience would no doubt run from the speaker and shut their ears on the whole debate. The speaker loses both ways.

Employment of oaths to furnish arguments in a way resembles the use of questions instead of simple informative sentences. We often say: "Do you not see?" or "have you considered this?"

The Prophet (sws) used this technique in his last sermon when he asked his audience: "Which city is this? Which month is this? What day is today?" (*Bukhārī*, No: 1652) This way, the speaker acquires attention of the audience who are naturally attracted to this kind of interactive dialogue. The Qur'ān has used both these techniques simultaneously in the beginning of Sūrah al-Fajr (Q. 89). Here, the Qur'ān calls to witness various natural phenomena and invites the audience to think and ponder over the divine planning, decrees, and justice exhibited by these. This has then been followed by the divine saying:

> Do not you see in it strong evidence for one possessed of understanding? (Q 89:1-5)

A similar example is the following verses:

> The sky and those which appear in the night—and what do

you understand what those which appear in the night are? Shining stars—bear witness that. (Q 86:1-3)

Intelligent debaters lead the audience to their claims smoothly without condemning the latter's view. This makes their audience think that they have reached the conclusion themselves. This explains why a metaphor is considered a better rhetorical device than a clear comparison.

Fifth, oaths help the speaker present the argument garbed in some other form and avoid argumentation. A careful analyst will easily find that the Qur'ān, in its oaths, first introduces an issue to the audience and invites him to reason for himself. Then it gradually leads him to the conclusion in a very subtle way. For example, in Sūrah al-Dhāriyāt (Q. 51), the Almighty swore by winds that take dust (*al-dhāriyāt)* and then He referred to their function to differentiate the affair (*al-muqassimāti 'amran*). This latter point functions as evidence. It has not been put directly. Similarly, Sūrah al-Mursalāt (Q. 77) begins with swearing by the unleashed winds (*mursalāti 'urfan*). Then it introduces their certain functions till the discourse reaches the point where they are presented as dealing the people separately: reminding the people either in order to leave them with no excuse or to merely warn them (verses 3-5). If the phenomenon of the winds differentiating between different people, something that is meant to be brought to notice of the audience, were put simply in the beginning, the addressee could have instantly rejected the thesis.

This style of presenting proofs in the form of oaths deters the contenders from confrontation. I do not repeat the second point where the use of argumentation in the form of *inshā'* was discussed. That aspect of argumentation shuts the door of negation and rejection. Here, quite distinctively, I wish to refer to the fact that this style of argumentation does not leave the contender with an opportunity to argue against the thesis presented in the oaths. It is as though he forgets to resort to confrontation. This technique is not peculiar to subjunctive (*inshā'iyyah*) statements. It works with informative sentences too. Consider the following verse:

The (salvation) history bears witness that man is in loss. (Q 103: 1-2)

This sentence is informative in some aspects. Still, however, it is not simple argumentation. This thesis, for example, could be simply put as follows: "Indeed man is loser in the end, for every passing day cuts his age." This line of reasoning, in spite of being self evident and clear, invites rejection from an argumentative mind; or if the contender does not reject it, he will not find it difficult to negate the conclusions this statement leads to, i.e. relying on faith and pious deeds. He may claim: "No, man is in great benefit. He buys what he cherishes and wins what he desires during this ephemeral life." Or, he may respond thus: "We know that we cannot escape death. Therefore we should enjoy the pleasures of life." This is what Imru' al-Qays, the wretched and strayed poet says:

> Enjoy beautiful women and drinks, pleasure of this world. You are mortal after all.[87]

It is evidently a slippery argument. However when the door to argumentation is once opened, then any kind of idle talk can be passed on as arguments. The more you bring the discussion to light, the more the contenders would wander in the mazes of their whims. This makes it important for you to avoid the line of argumentation leading to confrontation. Since the Arabs proved to be more disputatious than any other nation, the Qur'ān, considering their disposition, puts certain theses in the form of oaths. The following verse refers to this very characteristic of the Arabs:

> They have mentioned this to you only for the sake of disputation. Nay, but they are a contentious people. (Q 43:58)

The Qur'ān has, at another place, plainly called them a contentious people. (Q 19:97) This and the previous aspect discuss subtleties of arguments couched in the form of oaths. By adopting this style, you can stop the addressee from rejecting the thesis and entering into a disputation, as well as incite them on critically analyzing the issue.

Sixth, oaths are characterized by overwhelming resplendence which adds gracefulness to the opening passages of the *sūrahs*.

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87. Imru' al-Qays, *Dīwān*, 148.

The oaths, when occurring in the start of the *sūrahs*, shine forth like glaring prominent marks. They rarely occur in the middle of the *sūrahs*. Wherever they occur in the middle, they function as a refrain in an ode.

Oaths are not basically used to embellish expressions. However, since they inaugurate the *sūrahs* in most cases, they work as embellishers as well. Such excellent and pictorial expressions have been employed in the oaths as are used in introductions to books or eloquent sermons. Such a beautiful start often fills the eyes and the heart of the audience with awe and beauty. Nothing works better as pictorial expression than the oaths. When you swear by a thing, you present it before the audience as a witness to your claim. You evoke imagery.

Whenever the Almighty intended to decorate the start of the *sūrahs* with imagery, He employed the oaths. The image-making words used in the oaths are of different kinds. Sometimes a single item has been invoked. The pen, the scribe, the shining star, the panting horses, the winds that scatter dust, and the ranking angels represent different things interrelated by a common denominator. Similar is the case of the oaths of Sūrah al-Tīn (Q. 95) sworn by *al-tīn*, *al-zaytūn* and the Mount Sinai, as well as the things sworn by in Sūrah al-Ṭūr (Q. 52) including the mount Ṭūr, the composed book, the inhabited house, the elevated canopy, and the swelling ocean. The oaths by the sun, moon, night, day, earth, heavens and soul etc, refer to certain circumstances and empirical phenomena invoked to prove something important. Other than evidencing some important point, these things serve no logical purpose in the discourse. Evidencing a thesis in a variety of styles is adopted only in consideration of the audience which has to be won over. The speaker desires the audience to keep listening. He does not afford that his addressee turn a deaf ear to him. The best exhortation and the most convincing argument is that offered in soft language, keeping in consideration the view of the addressees. Almighty God commanded His Messengers to consider this while calling people to God. When the Almighty sent Moses (sws) and Aaron (sws) to the Pharaoh, he advised them:

> But speak to him gently so that perhaps he might take heed or fear. (Q 20:44)

Seventh, oaths are used to put the evidence before making the

claim. In this style, a matter is put before the adversary. This matter itself leads him to the conclusion which corroborates the claim of the speaker. If a disputant is already made aware of the claim upon which the evidence is brought, he can take the discussion around any other point. This can in turn give him an opportunity to avoid the right conclusion. On the contrary, if the claim is not disclosed to him before he has considered the argument, there is a great chance that he be eventually led to the right conclusion. If he is successfully put on the right path, he is easily led to the final conclusion. The examples illustrating this fact have been mentioned in the fourth and the fifth points above.

Eighth, oaths are multifaceted and rich expressions. The argumentative aspect of the *muqsam bihī* is not explicitly mentioned. If a singular aspect of the argument is mentioned, it will lead to only a single piece of evidence. But we know that at times a single thing contains a line of meaning and variety of aspects. This enables a scrutinizing mind with an opportunity to look for a number of proofs from a single phenomenon sworn by and invoked as evidence.

This aspect of the oaths is shared by the verses which present simple argument. There a mere thing or a phenomenon is presented. It is left upon the inquisitive mind to find evidence for a variety of facts. Consider the following verses of the Qur'ān.

> Do you not see that the ships sail on the sea through the bounty of God, that He may show you His signs? There are, surely, proofs for every patient and grateful person. (Q 31:31)

> And in the earth are signs for the faithful and also in your own self. Do not you see? (Q 51:20-1)

No human being can count the expressions of God's power, glory, mercy and wisdom scattered in the universe. In human beings themselves, there are signs leading to religious facts including the belief in the unicity of God, the need for the institution of prophecy and the belief in the Last Judgment. I have elaborated upon such matters in my book "*Ḥujaj al-Qur'ān*".[88] The Almighty presents some of His creation. He mentions some religious belief next to it. By this He intends to

88. One of the unpublished works by the author.

make the reader of the Book to discover different aspects of the various possible proofs from the mentioned created things for the stated beliefs.

If two different interpreters agree on the basic claim while pondering over the verses and keeping the coherence of the text in consideration, there is nothing wrong if both discover different aspects of the arguments. The same thing or phenomenon can lead to the same conclusion in a variety of ways. People with different levels of understanding may discover different aspects of proofs from a single argumentative statement. One of the basic characteristics of the Qur'ān is that it contains layers of profound wisdom. Its niceties may never exhaust, as do the miraculous aspects of the acts and creations of God. God Almighty says:

> If all the trees that are in the earth were pens, and the ocean – replenished by seven more – were ink, the words of God would not be exhausted. Surely, God is Mighty, Wise. (Q 31:27)

I conclude this discussion about the rhetorical purposes of the Qur'ānic oaths. I did not target exhaustive treatment of the issue. In fact nobody can.

The above explains the meanings of the oaths and their different forms. The last two objections regarding the Qur'ānic oaths, it is hoped, have been fully clarified. In the sixth and tenth section of the book, our discussion around the use of oaths in social, financial, and political aspects of the personal, national and international interaction of humans has fully refuted the first objection. The only thing that remains to be dealt with is the question as to why has it been forbidden in some of the earlier scriptures to take an oath, whereas oaths have been used in the Scriptures, the speeches of the great orators and rhetoricians.

Section: 18

Desirable and Undesirable Oath

Since oaths are sworn in order either to present oneself or the Almighty as witness to some facts, in both cases, the oath-taker puts his honor or religion on stake. It is not something to play with. This entails that an oath may not be taken unless in grave matters and that too with solemn resolution. This is why it has been forbidden in certain cases:

i. from the perspective of *muqsam ʻalayhi*
ii. from the perspective of *muqsam bihī*
iii. from the perspective of the both.

i. Whoever takes an oath in every petty matter proves to be an unserious person. Such a man does not succeed in upholding his personal honor. That is why the Almighty has forbidden this act in the Qur'ān. The relevant Qur'ānic verse uses very emphatic language. The Almighty says:

Heed not every despicable (*mahīn*) swearer (*ḥallāf*). (Q 68:10)

Whoever takes to swearing an oath on every petty matter puts himself down no matter he swears by God or anything else. He is an unreasonable person who gets enraged or laughs out without provocation. This renders swearing undesirable considering the *muqsam ʻalayhi*.

ii. Swearing a religious oath in the name of other than God is tantamount to taking that entity as partner besides God. The prohibition to take an oath by an entity other than God generally shuts the door for polytheism. This is identical to the prohibition to prostrate oneself before other than God or carving idols as stated in the tenth commandments. Thus swearing by other than God is prohibited. It has been said in the Old Testament:

> You shall fear the Lord your God and serve Him, and shall take oaths in His name. (Deuteronomy 6:13)

Similarly the Prophet (sws) too prohibited taking oaths by anything other than God.

3. Sometimes a man swears by God upon every petty matter. Such an act combines two things, lack of personal honor and absence of God-consciousness (*taqwā*). The following saying of God Almighty refers to this aspect of oaths.

> And do not use God's name as an excuse in your oaths. (Q 2:224)

Under these considerations, oaths are to be avoided. Other than this, it is allowable to swear especially under social necessities discussed in the seventh and tenth section of this work.

The Islamic *sharī'ah* has been revealed for the entire humanity. It is applicable till the Day of Judgment. It takes into account the social and cultural needs of human beings. It does not impose strict detailed laws in matters pertaining to cultural aspect of life. It also considers the inherent weakness of human nature as has been alluded to in the following verse of the Qur'ān:

> God desires to lighten your burden, for man has been created weak. (Q 4: 28)

Therefore, it was not appropriate to promulgate absolute prohibition to swear an oath, an unavoidable proceeding in the conducting of important religious and social issues. Similarly the *sharī'ah* has not held unintentional conversational oaths as punishable. In this regard, the Almighty says:

> God shall not call you to account for your inadvertent oaths. However, He shall hold you accountable for the ones that you take with intention in your hearts. Indeed God is the Forgiving, the Tolerant. (Q 2:225)

Actions are judged by intentions. Inadvertent oaths, though reflect incivility, are not punishable. The Lord of men forgives His servants. He showers mercy on them considering their weakness. He does not hold them accountable for small and

insignificant errors.

The above discussion specifically pertains to the general oaths. As for the Qur'ānic oaths they are clearly oaths of evidence, and there is no danger of losing religion and honor in taking such an oath. No disgrace attaches them.

The Qur'ānic oaths mostly support assertions concerning unicity of God, the Last Judgment and the Prophecy. All these issues are evidently glorious in nature and most worthy to be emphasized by way of an oath. If one swears that these facts are true he does not stake his self respect and honor. One should not prohibit swearing of these facts fearing that affirming these facts is to admit things liable to be untrue. Admitting such fears and doubting the veracity of these manifest religious truths would put his faith in danger. This is because these facts do not admit of any doubt. Such oaths reflect witnessing religious facts which the Prophets of God have always been openly promoting. A Prophet, in his preaching in general, claims that God has sent him knowingly. He claims that God witnesses his veracity. He asserts that he depends upon God and relies on Him. He states that he holds God a guarantor of his claims. These are the themes which are stressed by swearing by God as has been explained in the tenth section. Then why should not He adopt oaths to emphasize these claims? It is evident that when God takes an oath by any of His creations, or by His words, there is no possibility of polytheism in this proceeding. It is also clear that such oaths are only taken in order to present proof for certain facts. These do not involve any kind of glorification of *muqsam bihī*.

To conclude, we hold that the objections on the Qur'ānic oaths or on the oaths of the Prophets or the pious individuals as well as absolute prohibition of swearing are rooted in a lack of analysis and a failure to differentiate between different aspects of divine directives. By swearing by God, the Prophets and the pious people express that they rely on God, turn to Him and seek His help. This is the real picture of the question on legality of swearing an oath. However, it has been attributed to Jesus Christ (sws) that he rendered taking an oath in general as prohibited. We believe that this prohibition is specific and not general. To this point now we turn.

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Section: 19

Evangelical Prohibition of Oath

We know that Gospels as we have them are not the original text delivered by Jesus (sws). What we have in our hands is the translations of the original Injīl. The Gospels mix the sayings of Jesus Christ (sws) with the statements of the reporters. Its narratives vary and sometimes mutually contradict. It is not traced back to the Prophet (sws) and is not authentic. The text of the Gospels is disarrayed and confused. Keeping the above facts about the text of the present Gospels in perspective, we cannot resort to it and rely on it in our efforts to know the will of God. We may, however, discuss it supposing it to be authentic and accept its assertions just for the sake of discussion.

A detailed prohibition of taking an oath occurs in the famous Sermon of the Mount according to the Gospel of Matthew. It does not find mention in the Gospels of Mark and John. An abridged version, however, has been given in the Gospel of Luke. I have selected, for this discussion, the Gospel of Luke because of its compactness.

If you study this sermon and ponder over its verses with special attention to the context in which they occur, it would become clear that Jesus (sws) does not speak to the general public. He does not aim at giving a code of religious law parallel to the one found in the Torah. On the contrary, he specifically addresses his disciples and his immediate followers under consideration of a great wisdom which we shall learn soon. My claim that it was not a general proclamation and that it was specially meant for certain people is based on the following:

First, Jesus (sws) himself has made it clear. We see that this sermon follows the following statement of the Prophet Jesus (sws) according to Matthew:

> And when he was set, his disciples came unto him: And he opened his mouth, and taught them, saying: (Matthew 5: 1-2)

Similarly it has been stated in the Gospel of Luke that he went out into a mountain and spent his night in prayer to God. He called unto him his disciples. He chose twelve disciples from among them. This description follows Jesus' (sws) famous sermon. He said:

> Blessed be you poor: for yours is the kingdom of God. Blessed are you that hunger now: for you shall be filled. [….] (Luke 6: 20-1) Blessed are you, when men shall hate you, and when they shall separate you from their company, and shall reproach you, and cast out your name as evil. [….] (Luke 6: 22) But woe unto you that are rich! for you have received your consolation. Woe unto you that are full! for you shall hunger. Woe unto you that laugh now! for you shall mourn and weep. (Luke 6: 24-5)

Second, this sermon contains directives which only relate to the poor and the destitute. We see that the Prophet Jesus (sws) has not only forbidden taking oaths, he has also proscribed accumulating wealth, hording it for future use, and preserving one's honor and self respect. The last directive received so much stress and emphasis from him that he exhorted his disciples on the following:

> If someone strikes you on one cheek, turn to him the other also. If someone takes your cloak, do not stop him from taking your tunic also. Give to everyone who asks you, and if anyone takes what belongs to you, do not demand it back. (Luke 6: 39-30)

Third, some directives included in this sermon apparently abrogate some of the directives of the Torah. Jesus (sws), however, avoids this clearly. He expressly negated such a notion even before he mentioned these commands in his sermon. He says:

> Do not think that I came to destroy the Law or the Prophets. I did not come to destroy but to fulfill. (Mathew 5:16)

He also removed another possible confusion: moral and religious excellence does not require self-denial. He explained

that self-denial is an additional virtue. While opting for asceticism and self-denial one escapes sins at the stake of avoiding the trial of the world in which he has been put through. Jesus (sws) adopted this behavior himself only to guide those who cannot attain religious and moral perfection otherwise. He declared:

> Student is not above his teacher, but everyone who is fully trained will be like his teacher. (Luke 6: 40)

The innovators did not find it agreeable to consider self-denial and asceticism as an additional virtue. They, therefore, added the following words in the Gospel of Matthew:

> Be perfect, therefore, as your heavenly Father is perfect. (Matthew 5: 48)

The same sentence in Luke has been changed into the following:

> Be merciful, just as your Father is merciful. (Luke 6:36)

This is obviously absurd. How can the status of God be receded to that of His mortal servants? Still, however, the truth has remained transparent and has survived adulterations in spite of its enemies. Let us see how he has stated what defies any possibility of polytheistic sense and explains that Jesus' (sws) perfection which he attained through renouncing the world was an additional virtue specifically meant for the poor. It has been reported in Matthew:

> Now a man came up to Jesus and asked: "Teacher, what good thing must I do to get eternal life?" "Why do you call me as good?" Jesus replied. "There is only One who is good. If you want to enter life, obey the commandments." "Which ones?" the man inquired. Jesus replied, "Do not murder, do not commit adultery, do not steal, do not give false testimony, honor your father and mother, and love your neighbor as yourself." "All these I have kept," the young man said. "What do I still lack?" Jesus answered, "If you want to be perfect, go, sell your possessions and give to the poor, and you will have treasure in heaven. Then come, follow me." When the

young man heard this, he went away sad, because he had great wealth. Then Jesus said to his disciples, "I tell you the truth, it is hard for a rich man to enter the kingdom of heaven. Again I tell you, it is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of God." (Mathew 19: 16-23)

Thus he has explained to the questioner that, for him, the perfection would mean following Jesus (sws) and separation from the worldly riches. It is obviously not the perfection required of all the humans. We see that Abraham (sws), David (sws), Solomon (sws), and Joseph (sws) all had great wealth and they showed perfect religious and moral behavior. Can we hold they did not enter the kingdom of heavens? So this removes the doubt arising from the Bible and explains away the apparent contradiction between the Gospels and the Torah.

Fourth, these exhortations, if considered general commands, would then be in stark opposition to the practice (*sunnah*) of the divine guides, the Prophets of God, including Abraham (sws), David (sws) and others. They have fought, became victorious, gathered wealth, spent it in the positive purposes, and they never lived on the wealth of others. This thing has not escaped the notice of the Christian scholars. They then inserted words which change the original meaning of the text. They have included the word "in spirit" in the following sentence:

Blessed are the poor *in spirit*. (Matthew 5:3)

Similarly they added the words "for righteousness" in the following sentence:

Blessed are those who hunger and thirst *for righteousness*, for they will be filled. (Matthew 5:6)

However, all these changes could not remove the reality of the matter and it remains clear that the discourse is evidently addressed to the poor. They changed the words of Jesus (sws) only because they could not understand their true application. We will come to that later.

The above discussion, it is hoped, sufficiently proves that these directives were specifically meant for a particular group of

people of the past. These are not permanent divine directives guiding people to achieve excellence in social behavior and secure cultivation of the self. This does not form part of the everlasting law of God which is the conspicuous characteristic of the Islamic *sharī'ah*. Only Islam provides permanent guidance which includes the divine directive to first submit one's self and wealth to the disposal of God and spend it in His cause. God Almighty says:

> Surely, God has purchased of the believers their persons and their property. (Q 9:111)

When it has become clear that these directives are specifically meant for a certain group of people, there remains no ground to maintain that oaths are prohibited in general. We know on the basis of reason and received knowledge that it is allowable and there is a great need to resort to it. We are the Muslim people. We respect the Prophets of God, all of them. We do not reinterpret (*tā'wīl*) their statements and take it to mean that defies reason and moral values.

The above discussion in a way explains what we intend to mention in the next section that is the wisdom according to which Jesus Christ (sws) specifically subjected a certain group to these directives. We will try to remain brief because a thorough discussion is out of scope.

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Section: 20

Wisdom behind Specificness of the Command

Christians do not find it imperative to reconcile the received knowledge with reason. They believe that the religion operates beyond reason. However, some of them, with philosophical tendencies, endeavored to defend their religion against all kinds of rational attacks. However, for this love for rationalization of religion, they are always condemned and branded as heretics by both the scholars and the commoners among their co-religionists. Famous religious philosopher and thinker Spinoza who was an expert in Hebrew language is one such scholar.

Before I deal with my understanding of these exhortations, I wish to present the view of this philosopher concerning these directives. This will enable us understand that he agrees with me as far as the specificness of these commands to a particular group living under particular circumstances is concerned. This will also help us understand difference between the approaches of the Christian and Muslim scholars. It will also help us see that my view, besides being explicitly well established, is more respectful to the *sharī'ah* of the Prophet Jesus (sws).

Spinoza believes that Jesus Christ (sws) commanded his followers what amounts to surrendering before and showing humility to the oppressors. This was, he says, because at the time this directive was issued his followers were under the tyrant rulers. He had to command them not to show resistance to the evil. He required them to offer their cheeks for slaps among other similar things. According to Spinoza, these directives were not given considering the objectives of virtue, religiosity or beauty of manners. These, quite distinctly, corresponded to their political status at that time. It was the best affordable and expedient approach in those circumstances.

This scholar has great knowledge of the lives of the Prophets and enjoys profound understanding of their books. He holds that

these directives were meant for a particular people living under particular circumstances. However, he did not reach at the correct wisdom behind this specificity of the directives. Though he considered the rational aspect of the directives yet failed to regard the divine status of the *sharī'ah*, Jesus (sws) and his disciples.

My view in this regard follows. A careful reader of the Gospels does not fail to understand that Jesus Christ (sws) came giving glad tidings of the kingdom of heaven. What does the kingdom of heaven he prophesied mean? It was but the rule of God's religion. God had previously bestowed power upon the Jews. They lost it. The windmill of times ran its course upon them. They were, now, expecting to regain power another time as God had promised them. Jesus (sws) gave the glad tiding that it was nearing. He tried to explain this to them with the help of many examples and parables, which clearly corresponded to the advent of the Prophet Muḥammad (sws), the last Prophet of God.

The majority of his people disbelieved. Their scholars disappointed him. They were a hard hearted people who had taken up love of worldly pleasures. The Prophet Jeusus (sws) chose a small group of simple hearted poor commoners from among his nation. He wanted to purify them from self-indulgence and greediness so that it does not become difficult for them to enter the kingdom of heaven when it faces them. They would be, after entering the kingdom of heaven, bestowed upon the perfect and complete *sharī'ah* of God. It was because of this consideration he gave them commands which could ensure that they kept on embracing destitution and poverty so that they could keep guarding God-consciousness, purity of heart and perseverance. This would make their God turn to them according to His established manner of dealing with His servants and fulfill His promise. The above only points out to the relevant facts. The issue has, however, been exhaustively discussed in its original appropriate place.

We have adopted this interpretation of the verses of the Gospels because it renders the statements of Jesus (sws) as the greatest glad tiding and prophecy on the one hand and remains perfectly compatible with reason and reconcilable to the reported historical facts on the other. Therefore, we see that it perfectly fits with the circumstances of the Christians and their history as

foretold by Jesus (sws). We know that a group among his followers opted for destitution and spent whatever they possessed in the way of God. While another group among them cherished worldly gains and condemned the first one branding them with the name of the destitute. This is what Jesus (sws) had pointed out in the beginning of his sermon. The sin of these poor followers of Jesus (sws) was no more than to spend their wealth in the way of God, to stick to their original financial position, follow the Torah, prohibit the pork, command circumcision, disbelieve in divinity of Jesus (sws), reject other than the original Hebrew Gospel which the latter Christians lost, and to condemn Paul who disfigured the religion of Jesus (sws). He had fervently opposed the disciples and proclaimed that he learnt from Jesus (sws) through visions and that he did not need to turn to his disciples for guidance.

When the kingdom of heaven manifested itself by the hands of Muḥammad (sws), the Last Prophet of God, majority of the poor Christians entered it while the opulent and arrogant among them opposed it. They were resultantly not able to enter the kingdom of heaven. What I have said can be proved by many statements of the Torah, the Gospels, and the Qur'ān as well as the history of the Christians. However, I cannot go into detail. The issue has been fully dealt with in our book '*Fī Malakūt Allāh*" among others. I have gone this far in this discussion because it could not be ignored completely. Nor is it possible to deal with this issue exhaustively. An exhaustive analysis of the issue will be offered in its proper place.[89]

To recapitulate, I say that the absolute prohibition of taking an oath ascribed to Jesus Christ (sws) was specifically meant for those following his way of life. I do acknowledge that he did prohibit oath taking to his followers. It is understandable. If someone decides to cut himself completely from social life and sets off expecting the kingdom of heaven to set in, and in doing this he does not take rest, does not seek revenge when beaten, abused, or oppressed, does not interact with people so that he is forced to argue with any then what will make him take an oath? His reply to people cannot be other than plain yes, or no. Oaths, witnesses, claims and proofs; all are irrelevant to him.

This prohibition relates to a particular aspect of the oaths,

89. The issue has been discussed in detail in the book *Fī Malakūt Allāh.*

considering the *muqsam 'alayhi*. This is evident from the context in which it occurs. I do not think that Jesus (sws) prohibited taking an oath on religious facts too. We see that he himself, according to the Gospel of John, called to witness God to the veracity of his prophethood. An oath, after all, is brought to evidence something.

Similarly we see in the Qur'ān that there are oaths ascribed to the pious Christians who had been sent forth to preach and propagate the truth. It has been said in Sūrah Yāsīn (Q. 36):

> They said: "Our Lord knows that we are, indeed His messengers to you; and our duty is only plain delivery of the message." (Q 36: 16-7)

The words, "our God knows" in the above verse quite obviously is but a form of swearing an oath as has already been explained.

For a seeker of truth this and what has been explained in the previous sections suffices as explanation to the questions and doubts enumerated in the beginning of the book. I have tried to adopt the view that is reconcilable with reason and received knowledge and can be confirmed by the Torah, Gospels, and the Qur'ān. All the apparent points of difference between these pertain to the aspect of perfection and detail, determination of the balanced approach from extremes, and consideration of differences in the minute points of applications of directives wherein it is difficult to see what is harmful and what is beneficial. We have observed how the Qur'ān considers such fine aspects in oaths. We cannot cover all the directives of the *sharī'ah* in this respect. However, I will turn to desirable and undesirable oath formulas. This will conclude the discussion on the meanings and aspects of oaths. It will bring to light another aspect of rhetorical beauty of the Qur'ān and will create in the readers a desire to study Arabic language. Note that the lack of knowledge of the Arabic language is religiously harmful for us.

Section: 21

Proper Use of Different Oath Formulas

The experts in Arabic language have made it clear that no two words are exactly synonymous. Each word, among a group of synonyms, conveys a signification peculiar and confined to it alone. The scholars of Arabic language have discovered that the synonymous words used in the Qur'ān too have different shades of meaning that can only be detected by a keen analyst. The word *riyāḥ,* for example, has been used for winds, in the context of benefits, and the use of word *rīḥ* (singular of *riyāḥ*) with reference to its harm. Similarly, the Qur'ān uses *amṭār* the plural form of *maṭar* (rain) in context of punishment. Application of different words for swearing oaths in different places is a similar practice. I will point out some of the particularities of different expressions of oath.

I have mentioned in the eighteenth section that some kinds of swearing oaths injure the honor of the oath-taker and harm his dignity. The Qur'ān has indicated this fact by employing specific words for the oaths of the hypocrites, who obviously belittled themselves by opting for taking an oath in every petty affair. An honorable man would not go for it at similar occasions. We see that in Sūrah al-Barā'ah (Q. 9) oaths of the hypocrites have been referred to seven times. No word other than *ḥalf* has been used in any of these instances in consideration of the untruth and meanness of the hypocrites. The word *ḥalf* has not been used in the Qur'ān for swearing an oath except in places where it denotes meanness and untruth of the person swearing the oath. Besides, the general use of the word in Arabic too implies this signification. Nābighah, intending to adulate Nu'mān b. Mundhar and express humility before him, says:

I swore an oath (*ḥalaftu*) and have not left you with a chance

to doubt me. Indeed, a man finds no way to cheat God.[90]

By using the word *ḥalf* for an oath, he has brilliantly articulated his submission. This verse indeed is the finest expression of humility and lowliness. Nābighah is known for being the most eloquent man when he is awed by someone. It is usually said that the best poet is Imru' al-Qays when riding, A'shā when jubilant, 'Antarah when enraged and Nābighah when awed by someone.

If you have appreciated this particular signification of the word, then it would be easy for you to understand its importance in the religion. You will then avoid using the word *ḥalf* while referring to God's oaths. Many Muslim commentators and the translators of the Torah frequently use the expression "*ḥalafa Allāh bikadhā*" (God swore by this and that). It should be avoided.

For an understanding of the particular significations of other oath formulas, you should refer to the seventh section of this book. A careful reading of the section will allow you infer such particular significations of these formulas from the discussion on their meanings and different aspects. Here, the discussion revolves around the fact that oaths are sometimes undesirable and at other occasions they are desirable. So is the employment of different oath formulas. The Qur'ān has condemned taking an oath where they are to be avoided. It does not prohibit the practice absolutely. The Qur'ān has guided us how to know where taking an oath is desirable and where it is not. This has been accomplished by using specific words of oaths. This exhibits the excellence of the *sharī'ah* of Islam which contains explanation and detail of the law referred to in the following verse of the Qur'ān:

> We have sent down to you the Book to explain everything and as guidance and a mercy and glad tidings to those who submit. (Q 16:89)

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90. Nābighah, *Dīwān*, 17.

Section: 22

Conclusion

The above discussions relate to the Qur’ānic oaths in a general way. Detailed dealing of the interpretation of the oath verses has been provided in the commentary on the Qur’ān. Still however, I have, in the organization of the sections and selection of examples in them, pointed out to the essence of the oaths and their true aspects. It needs to be appreciated that the main objective of this book was to highlight a particular aspect of the oaths to which people raised objections. Yet, however, at times I have been forced to deal with some other relevant matters which required elaboration. This made me expand the discussions till the time the truth of the relevant matter was exposed and the related doubts were cleared off. However, this achieved, I hastened to the original discussion and abandoned the exhaustive survey of that interrupting issue. Thus book combines two plans, briefness and enlargement, flowing on two axis, brevity and detail.

A hasty reader may blame me for excessive terseness at time and for unnecessary prolongation at others. Such readers should know that I have been forced to adopt this course of action by the nature of the problem itself and its particular form. Besides, I do not claim immunity from misstep and stumble. This should be taken as my apology. I seek God’s kind forgiveness. He is the most Merciful. All gratitude is due to God alone, the Lord of the worlds.